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JOURNALS OF THE CONTINENTAL CONGRESS

1774-1789

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May 22-October 2

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THURSDAY, MAY 22, 1777

A letter, of the 11, and one of the 14, from General Gates, at Albany;

One, of the 16, from Brigadier General M'Dougal, at Peek's Kill; and one, of the 13, from Gouverneur Morris, were read:[1]

Ordered, That the last be referred to the Marine Committee.

Resolved, That blank commissions be delivered to the delegates of Maryland, for the seven batallions of Maryland forces, to be by them filled up with the names of the officers, but without affixing any date, which is to be inserted according to the orders of General Washington, who is to settle the rank of the several officers.

Congress took into consideration the report of the Board of War of the 16th; Whereupon,

Resolved, That Albany, Ticonderoga, Fort Stanwix, and their dependencies, be henceforward considered as forming the northern department:

That Major General Schuyler be directed forthwith to proceed to the northern department, and take upon him the command there:

Resolved, That the resolution passed the 6th March, 1776, directing General Schuyler to establish his head quarters at Albany, be repealed.

The Committee of Treasury laid before Congress a report from the Commissioners for adjusting the accounts to be presented to Congress:

That there is due to David Grier, for his pay as major and lieutenant colonel, and for the pay of several officers of the 6 Pensylvania regiment, between the 1st January

[1] The letters from Gates are in the *Papers of the Continental Congress*, No. 154, I, folios 189 and 197; that of McDougall is in No. 161, folio 83, and that of Morris in No. 78, XV, folio 197.

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and 20 March, 594 60/90 dollars; and, for the repairs of arms and of a guard house at York Town, 32 41/90 dollars, amounting ||in the whole,|| to 627 11/90 dollars:

That there is due to Major Richard Campbell, of the 8th Virginia regiment, for sundry expences he paid while in Georgia and South Carolina, 135 69/90 dollars; for rations to sundry men at different times, 20 40/90 dollars; for 30 cords of wood while in barracks at Winchester, 30 dollars; ||the whole amounting to|| 186 19/90 dollars:[1]

That there is due to the following gentlemen of the Philadelphia light horse, who were ordered to the Jersey on public service by Congress, the following sums agreeable to their respective accounts, and to be paid to Benjamin Randolph, viz.

To Benjamin Randolph, 102 42 dollars; to John Lardner, 11 47 dollars; to Thomas Peters, 21 30 dollars; to James Hunter, 21 30 dollars; to John Dunlap, 21 30 dollars, and to Thomas Leiper, 21 30 dollars; ||the whole amounting to|| 199 29/90 dollars:

That there is due to George Weiss, for riding express to Esopus, Boston, &c. by direction of Congress, the sum of 186 60/90 dollars:

That there is due to Lieutenant Colonel Ramsay, for his own and Captain Davidson's expences to Virginia, by order of Major General Schuyler, to hasten the march of the ||North|| Carolina troops, the sum of 133 78/90 dollars:[2]

Ordered, That the said accounts be paid.

Resolved, That 5,000 dollars be advanced to John Knight, pay master of the 7th batallion of continental troops, raised in Pensylvania, towards the pay and subsistence of the said batallion.[3]

[1] This report, dated May 20, is in the *Papers of the Continental Congress*, No. 136, I, folio 175.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 189.

[3] This paragraph, in the writing of James Duane, is in the *Papers of the Continental Congress*, No. 136, I, folio 179.

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Whereas, from the representation of the deputy pay master ||general|| in Virginia, it appears, that there is in his hands a considerable sum of money which cannot be drawn out, there being no general officer in the State to draw warrants; and whereas the public service may be greatly retarded for want of the necessary supplies of money,

Resolved, That whenever it shall happen that there is no general officer resident in the State, the governor and council of Virginia be authorized and empowered to draw warrants upon the deputy pay master ||general|| in Virginia, for such sums of money as, in their opinion, may be requisite for the service of the United States.[1]

The Board of Treasury brought in a report, which was taken into consideration; Whereupon, Congress came to the following resolutions:

Whereas, Congress, on the 20th instant, resolved, that five millions of dollars, of the same tenor, (the date excepted) and denominations as the last emmission, shall be emitted under direction of the Treasury Board;

Resolved, *therefore*, That the said bills, so to be emitted, shall consist of the following denominations:

76,923	bills	of	30	dollars ea	2,307,690
76,923	do	of	8	do	615,384
76,923	do	of	7	do	538,461
76,923	do	of	6	do	461,538
76,924	do	of	5	do	384,620
76,923	do	of	4	do	307,692
76,923	do	of	3	do	230,769
76,923	do	of	2	do	153,846
615,385					5,000,000

[1] These two paragraphs, reported from the Treasury Office, are in the *Papers of the Continental Congress*, No. 136, I, folio 187.

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Resolved, That the present inspectors of the press be directed and authorized to perform that service for the present emission:

That before they enter upon their office, they shall respectively take an oath, or affirmation, to be administered to them by any magistrate, "well and faithfully to "execute the trust reposed in them, as inspectors of the "press for the said emission, according to the best of "their skill and judgment:"

That the gentlemen appointed to sign and number the last emission, be authorized to number and sign the bills now agreed to be emitted, taking, before they enter upon that office, an oath or affirmation to be administered as aforesaid, "that they will well and truly sign and number all the bills to be delivered to them by the inspectors of the press appointed as aforesaid; and the same so signed and numbered, will deliver, or cause to be delivered, to the continental treasurer, or such person as he shall appoint to receive the same."

And, for avoiding dangers from fire, robbery, or negligence,

Resolved, That the inspectors of the press shall not deliver to any class more than two parcels of two hundred sheets each, to be in their hands at any one time.

Resolved, That the plates used for the last emission shall be used in the emission now directed; and that the bills shall be expressed in the following words:

THE UNITED STATES.

No. DOLLARS.

THIS bill entitles the bearer to receive Spanish milled dollars, or the value thereof in gold or silver, according to a resolution of Congress passed at Philadelphia, May 20, 1777;

and have such ornaments, escutcheons, and secret marks as the Board of Treasury shall direct:

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That each of the said bills shall be signed by two signers, and each different denomination numbered from number one progressively.

Resolved, That if it shall be inconvenient to any of the inspectors or signers to attend the service required of them by these resolutions, and they shall decline the same, the treasurer shall be, and he is hereby, authorized to nominate other fit persons in their stead, and to return their names to the Treasury Board, and a certificate of their qualifications.

Resolved, That it shall be the duty of the inspectors faithfully to superintend the emission of the said bills, carefully to keep the stamps and papers which have been or shall be delivered them for the purpose of the said emission, not to permit any impressions to be made unless in their presence; to cause so many bills and of such denominations to be struck as are hereby directed; to burn such of the bills as shall be imperfectly printed, and deliver the rest to the qualified signers, or to the treasurer, as shall be directed by the Treasury Board, or the treasurer, taking receipts from the person to whom they shall be delivered: that having completed the emission, they shall carefully return the stamps and the papers which may remain unused to the Treasury Board, or to such person as shall be authorized by them to receive the same:

That it shall be the duty of the signers faithfully to number and sign the bills, and hand them over to each other; the last signer to deliver them, when signed, to the treasurer, and to take his receipt for the same, which shall be delivered to the inspectors in exchange for the first receipts given by the respective signers, for the unsigned bills to the same amount.

Resolved, That when the emission shall be completed, the inspectors shall deliver to the treasurer the receipts given by him to the signers for the several parcels of

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signed bills as shall, from time to time, have come into his hands; and the treasurer shall then give to the inspectors, duplicate receipts for the whole amount of the emission; one of which shall be kept by them for their own discharge, and the other to be delivered to the Treasury Board as a voucher to charge the treasurer.

Resolved, That the inspectors of the said emission shall employ such person or persons as they shall think worthy of confidence to print the said bills, who shall, before his or their entering upon the business, take an oath, to be administered before any magistrate, in the presence of the said inspectors, or one of them, "well and faithfully to "discharge the trust reposed in him or them concerning "the said emission, according to the best of his or their "skill and judgment;" a certificate of which qualification shall be transmitted to the Board of Treasury by the said inspectors.[1]

The Committee on Foreign Applications brought in a report, which was taken into consideration; Whereupon,

Resolved, That Louis Fleuri, engaged by our commissioners in France, be sent as a captain of engineers to General Washington; and that two months' pay be advanced to him.[2]

Resolved, That the farther consideration thereof be postponed.

A petition of William Lennox was read:[3]

Ordered, To lie on the table.

A memorial from Joseph Trumbull, commissary general, was read:[4]

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 181.

[2] This report, in the writing of James Lovell, is in the *Papers of the Continental Congress*, No. 25, I, folio 15. See note under May 26, *post*.

[3] This petition is in the *Papers of the Continental Congress*, No. 42, IV, folio 130.

[4] This memorial is in the *Papers of the Continental Congress*, No. 41, X, folio 9. It relates to extra rations authorized by Messrs. Clymer and Stockton, as commissioners of Congress.

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Ordered, That Mr. [James] Wilson be directed to make inquiry, and bring in a resolution, respecting the same.

The several matters &c. ||to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.||

FRIDAY, MAY 23, 1777

A letter of the 21, from General Washington, at Morristown;

One, of the 17, from John Lawrance, judge advocate general;

One, of the 23 April, from the committee of the convention of the State of New York; and one, of the 15 May, from John Morin Scott, were read:[1]

Ordered, That they be referred to the Board of War.

Resolved, That Messrs. Samuel & Daniel Hughes, who have entered into a contract for casting a quantity of cannon for the United States, be allowed for such cannon as they shall deliver after this time agreeable to the contract, £8 10 equal to 22 2/3 dollars per ton, in addition to the sum mentioned in the contract.

That 10,000 dollars be advanced to Messrs. Samuel & Daniel Hughes, on account, to enable them to fulfil their contract.

That four hundred dollars be advanced to Colonel Gunby, of the 7 batallion of Maryland forces, for the use of his batallion; he to be accountable:

[1]The letter of Washington is in the *Papers of the Continental Congress*, No. 152, III, folio 187. That of Laurance is in No. 78, XIV, folio 161. It has the following motion, in the writing of John Adams:

"*Resolved*, That the General, or Commander in Chief, for the Time being, shall have full Power of pardoning, or mitigating any of the Punishments ordered to be inflicted, for any of the Offences mentioned in the Rules and Articles for the better Government of the Troops, raised, or to be raised, and kept in Pay, by and at the expence of the united States of America, the fourth Article resolved in Congress the 14th day of April last notwithstanding."

The letter from the New York Convention is in No. 78, II, folio 169.

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That 10,000 dollars be advanced to Mr. Halliday, pay master of Colonel Richardson's batallion of the Maryland forces, for the use of the said batallion; he to be accountable:

Resolved, That 350¼ dollars be paid to Francis Lewis, Esqr and charged to the account of Jonathan Trumbull, Jun. Esqr deputy pay master general in the northern department, the same being for so much money received by the said deputy pay master general from M. Klyne, by order of the said F. Lewis, as appears by a certificate given by Mr. J. Trumbull 10 May, 1777.

A letter, of this day, from Colonel Stephen Moylan, was read:

Ordered, That it be referred to the Board of Treasury.

The Board of War reported, "That the Board have had a conference with Major General Arnold concerning the imputations upon his character, contained in an hand bill, dated Pittsfield, April 12, 1777, and subscribed John Brown, laid before Congress by the general in his letter to the president: that the general laid before the Board a variety of original letters, orders, and other papers, which, together with the general's account of his conduct confirmed by the relation of Mr Carroll, one of the late commissioners in Canada, now a member of this Board, have given entire satisfaction to this Board concerning the general's character and conduct, so cruelly and groundlessly aspersed in the publication."[1]

Resolved, That the said report stand confirmed.

The Board of War brought in a farther report, which was read:

That the Board have conversed with Col Moylan the President of the Court Martial held on John Brown, now under Sentence of Death as a Spy and Traitor, and it appears from Col Moylan's Report, That

[1] This report, in the writing of Richard Peters, is in the *Papers of the Continental Congress*, No. 147, I, folio 177.

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previous to the Sentence of the Court after Examination of Witnesses, two of the Members were sent to the Criminal to endeavour to find out his Accomplices. That he mentioned several Persons in Northampton County, in Pennsylvania, who appeared to be his Relations and Connexions and whose Names were ordered to be given to General Schuyler; But as to his Case no particular Circumstances of Mitigation appear except such as are founded in the Ignorance of the Culprit. The Reason for a Motion in the Court Martial for a Recommendation to Mercy was founded only on the Criminal's apparent Ignorance and Illiteracy.

To Lie

That the Pennsylvania Board of War be informed that all Disputes about Rank among the Officers of the Army are referred to General Washington, and that on Reconsideration of their Resolve relative to antedated Commissions, Congress see no reason to alter or repeal the same.[1]

Resolved, That the consideration thereof be postponed.

The Marine Committee, to whom the letters from General M'Dougal and Governeur Morris, respecting the manning and fitting two gallies for the defence of the North river, were referred, report, that they have taken the said letters into consideration, and are of opinion, that such gallies as may be necessary for the defence of the said river ought to be equipped, and their operations directed by the State of New York; for they find this kind of defence is undertaken by all the other States where it is found necessary.

Resolved, That the delegates of the State of New York be desired to inform the convention of that State, that the above report of the Marine Committee is accepted, and adopted, as the sense of Congress on this subject.

The Marine Committee, to whom the petition of Timothy Folger was referred, reported, "That the matter on which the petitioners pray to be relieved, depends on the construction of promulgated resolutions of Congress,

[1] This report, in the writing of Richard Peters, is in the *Papers of the Continental Congress*, No. 147, I, folio 177.

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which make part of the code of the laws of maritime war; which laws ought to be construed and applied by the courts of admiralty and commissioners of appeals in their judicial capacity, and not by Congress:

"That the case of the *Sherburne* having already received a judicial determination before the said courts, where the parties had an opportunity of availing themselves of the full effects of the said laws, it is improper for the Congress to come to any resolution relative thereto."

Resolved, That Congress concur with their committee.

The Committee of Foreign Applications, brought in a report, which was taken into consideration: Whereupon,

Resolved, That Michael Fabricy be informed that Congress do not think it expedient to accept of his offered service.[1]

Congress took into consideration the report on the commissary's department; and, after some debate thereon,

Resolved, That the same be re-committed; and that Mr. R[obert] Morris be added to the said committee.

Resolved, That a committee of three be appointed to confer with a committee of the house of representatives for the State of Pensylvania, respecting some complaints of the Indians:

The members chosen, Mr. [James] Wilson, Mr. [James] Duane, and Mr. [Charles] Carroll.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, MAY 24, 1777

Met and adjourned to 10 o'Clock on Monday next.

[1] This report, in the writing of James Lovell, is in the *Papers of the Continental Congress*, No. 25, I, folio 17. It read: "a Prussian Colonel, merits the Thanks of Congress, though it is not expedient &c."

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MONDAY, MAY 26, 1777

A letter, of this day, from General Schuyler, was read:[1]

Ordered, That it be referred to the Board of War.

An account from Robert Erwin was presented to Congress:

Ordered, That the same be referred to the Board of Treasury.

Congress resumed the consideration of the report of the Committee on Foreign Applications; Whereupon,

Resolved, That Mons. Mottin de la Balme receive a commission of lieutenant colonel of horse; and that his pay commence the 20 January.

Resolved, That Mons. Coppin de la Garde be recommended to General Washington for some subaltern employment in the division of General Sullivan, who has written in his favour to the Board of War.[2]

A memorial from Charles Pond, captain and commander of the armed sloop *Schuyler*, was read:

Ordered, That it be referred to the Marine Committee.

Resolved, That two members be added to the Committee of Foreign Affairs:

The members chosen, Mr. [Thomas] Heyward, and Mr. [James] Lovell.

Resolved, That 20,000 dollars be advanced to the State of Georgia, for the public service; the said State to be accountable.

A memorial from William Goddard, and one from Benjamin Eyre, were read.[3]

[1] This letter is in the *Papers of the Continental Congress*, No. 153, III, folio 132.

[2] These two paragraphs were part of the report of the committee submitted May 22, *ante*. A memorial from Coppin de la Garde is in the *Papers of the Continental Congress*, No. 41, III, folio 381.

[3] The memorial from Benjamin Eyre is in the *Papers of the Continental Congress*, No. 41, III, folio 5. That of William Goddard is in the same volume, folio 385.

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A memorial from Joseph Simpson was read:

Ordered, That it be referred to the Marine Committee.

A letter, of the 28 April, from James Stevenson, one of the commissioners for settling the accounts of the army, to J. Gibson, Esqr auditor general, was laid before Congress, and read:

Ordered, That it be referred to the Board of Treasury.

Resolved, That 40,000 dollars be advanced to Joseph Trumbull, Esq. commissary general, by an order on the loan officer in Massachusetts bay.

Congress resumed the consideration of the report on the commissary's department ||The committee to whom was re-committed the report on the commissary's department, having brought in another report, Congress took the same into consideration;|| and, after some time spent thereon,

Resolved, That the further consideration thereof be postponed till to morrow.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, MAY 27, 1777

A letter, of the 24, from General Washington, at Morristown, with a copy of a letter enclosed from Generals Greene, M'Dougal, Knox, Wayne, and Clinton, dated Peek's Kill, May 17;

And one of the 16, from William Aylett, at Williamsburg, were read.[1]

Resolved, That General Washington be empowered and directed to assign to the command of the light horse one of the generals already appointed.

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 191. It is printed in *Writings of Washington* (Ford), V, 386.

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Ordered, That the letter from General Washington, with that enclosed, be referred to the Board of War; and that they send a copy of so much thereof, as relates to cables, to the Marine Committee:

That the letter from Mr. Aylett be referred to the commissary general.

The Secret Committee having reported to Congress the circumstances of the ship *Mary*, Captain Kennedy, and her cargo:

Congress took the same into consideration; and, thereupon,

Resolved, That the said committee make an advance of so much money to the owners of the said ship as may be unquestionably due to them; and that the said committee, in conjunction with the delegates of Connecticut, do finally settle all matters relative to the said ship, cargo and freight, in such way, as justice and equity shall demand.

The Committee of Treasury reported,

That there is due to Benjamin Randolph, for 18 boxes, for packing paper for continental bills of credit sent to Baltimore, the sum of 38 12/90 dollars:

That there is due to Colonel Robert Taylor, of the first batallion of Gloucester county militia in the state of New Jersey, for the mileage of the field officers, and part of three companies of the said batallion, the sum of 202 86/90 dollars:[1]

That there is due to Samuel Fairlamb, upon a final settlement of his account for provisions, &c. supplied the troops at Chester and Marcus Hook, the sum of 235 47/90 dollars.[2]

[1] This report, dated May 23, is in the *Papers of the Continental Congress*, No. 136, I, folio 191.

[2] This formed part of a report from the Board of Treasury, dated May 24, in the *Papers of the Continental Congress*, No. 136, I, folio 193.

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Ordered, That the above sums be paid.

Resolved, That a warrant issue in favour of the Board of War for 250,000 dollars, to be transmitted to the pay master general:

That a warrant issue in favour of Ebenezer Hancock, Esqr. deputy pay master general of the eastern department, on the loan office of Massachusetts bay, for 250,000 dollars; another on the loan office of the State of Connecticut, for 150,000, for the service of the United States; he to be accountable:

That another Warrant be drawn on the Treasurer in favour of the Board of War for 500,000 Dollars to be paid out of the New Emission, and transmitted to Ebenezer Hancock, Esqr, for the service aforesaid, he to be accountable.[1]

That a warrant issue in favour of the Board of War for the State of Pensylvania for 50,000 dollars, for the express purpose of recruiting the army of the United States; the said State to be accountable.

The Committee of Treasury reported,

That there is due to John Young, saddler, for sundry saddles, carbines, pistols, &c. he furnished Captain Henry Lee, Jun. in Colonel Bland's regiment of Virginia light horse, the sum of £334 19 0 Virginia currency, equal to 1,116 45/90 dollars; the State of Virginia to be charged with the said sum:[2]

That they have revised the accounts of James Warren, Esqr. late pay master general, and find, that, in July last, he rendered his account to Congress, by which there appeared to be due to the United States previous to the settlement, 28,216 70/72 dollars; that, of this sum, he had then in his hands but 26,320 67/72 dollars; that the resi-

[1] This report, dated May 24, is in the *Papers of the Continental Congress*, No. 136, I, folio 193.

[2] These two paragraphs are in the *Papers of the Continental Congress*, No. 136, I, folio 195.

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due, by sundry affidavits transmitted to Congress, appears to have been lost in consequence of his keeping an additional office at the request of the General for the convenience of the army, amounting to 1,896 3/72 dollars: that, on adjustment of his account in July last, an allowance was made for his pay from the 31 March, 1776, to the 4 May following, and for assistance in his office, 494 34/72 dollars; that no allowance was then made for the loss of money, and the balance being struck, there appeared to be due to the United States, 27,722 36/72 dollars: that he afterwards paid to the order of General Ward, all the money that remained in the chest, being 26,320 67/72 dollars, without making any deduction for the aforesaid grant of 494 34/72 dollars: that in March last, Congress resolved to allow him the loss aforesaid, but that 1,401 33/72 dollars being then mistaken for 1,896 53/72 dollars, he was deprived of the grant aforesaid made in July last, being 494 41/90 dollars, which is now due to him; and therefore that a warrant should issue on the loan office of the Massachusetts bay, in favour of James Warren, Esqr late pay master general, for 494 41/90 dollars.[1]

Ordered, That the said account be paid, and warrant issue accordingly.

Resolved, That 3,765½ dollars, be advanced to Jacob Moon, pay master to the 14 batallion of Virginia forces, for the use of the said batallion; he to be accountable.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That Mr. Warren, speaker of the assembly of the Massachusetts bay, be informed, that soldiers under the circumstances mentioned in his letter of the 2d

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 185. It was dated May 21.

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instant, be allowed mileage as militia returning home: that Congress have allowed no compensation to any persons for losses they may have sustained by the enemy, and that it is recommended to the legislatures of the different States, by the resolutions of Congress of the 26th day of August, 1776, to make provision for the maintenance of disabled wounded soldiers, belonging to their respective States, and to keep a regular account of the expence attending the same, that, at a future day, the Continent may be charged therewith:

That a letter be written to Mr. President M'Kinley, acquainting him that Congress are highly pleased with the spirit and alacrity of the militia of Delaware as set forth in his excellency's letter, and depend upon their cheerfully turning out when it shall be necessary for the defence of their country, of which Congress will give them the earliest notice.

Resolved, That the general, and commander in chief, for the time being, shall have full power of pardoning or mitigating any of the punishments ordered to be inflicted for any of the offences mentioned in the rules and articles for the better government of the troops, raised or to be raised and kept in pay by, and at the expence of, the United States of America; the 4th article, resolved in Congress the 14 day of April last, notwithstanding.

Resolved, That for the future, there be only one chaplain allowed to each brigade in the army, and that such chaplain be appointed by Congress:

That each brigade chaplain be allowed the same pay, rations, and forage that is allowed to a colonel in the same corps:

That each brigadier general be requested to nominate and recommend to Congress a proper person for chaplain

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to his brigade; and that they recommend none but such as are clergymen of experience, and established public character for piety, virtue and learning.

Resolved, That from henceforward, no servant, employed by any person or persons in casting cannon or shot for the use of the United States, or any of them, shall be inlisted into the continental army.[1]

Resolved, That a copy of that part of General Schuyler's letter of the 26 inst. which relates to the raising one or more troops of light horse in the vicinity of Albany, be referred to General Washington.

That Captain Stevens, of the artillery, have a brevet as major: he having had that rank before his present appointment as a captain, and being a worthy, good officer, as General Schuyler represents.

That a copy of that paragraph of General Schuyler's letter which relates to the payment of the army by abstract, be referred to the Treasury Board.

That if General Gates, before General Schuyler's arrival at Albany, shall have appointed a deputy adjutant general, and deputy judge advocate for the northern army, the said appointments be confirmed; if not, that General Schuyler be empowered to make those appointments.

That the Committee of Indian Affairs, be directed to transmit to the commissioners of Indian affairs in the northern department, such Indian intelligence as shall be received, and copies of all treaties made with the Indians in the middle department.

[1]This report, dated May 24, is in the *Papers of the Continental Congress*, No. 147,I, folio 181. The last paragraph is in the writing of James Wilson, being substituted for the following:

"That from henceforward no Servant belonging to any Person or persons employed by the United States in casting Cannon, shot, or other work, either public or by Contract, shall be enlisted into the Continental Army."

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That General Schuyler be empowered to fill up the commissions for Colonel Livingston's regiment, agreeable to the ranks the officers respectively hold in the said regiment.

That the pay of the assistant deputy pay masters general in the northern army, be raised to 45 dollars per month.[1]

The committee appointed to confer with a committee of the assembly of the State of Pensylvania, concerning a complaint by the Indians, report, "That they have conferred with the said committee, by whom they were informed, that a considerable number of the inhabitants of Pensylvania have seated themselves upon lands belonging to the Indians, without their leave or any authority from the State; and that the Indians are very uneasy on the account of such intrusion:" Whereupon,

Resolved, That the executive power, or legislature of Pensylvania, ought to take proper measures to quiet the minds of the said Indians, by assuring them, that they shall have full satisfaction, either by the removal of the intruders, or by allowing them an adequate consideration for the soil, at the option of the Indians.[2]

Ordered, That a copy of the foregoing report and resolve be transmitted to the commissioners for Indian affairs in the northern department.

The Committe of Treasury report,

That there is due to Thomas Dewit, for board of sundry prisoners in the gaol of Baltimore, and for fire-wood, candles, &c. from the 19 of December to 3 March, 333 39/90 dollars:

[1]This report, dated May 27, 1777, is in the *Papers of the Continental Congress*, No. 147, I, folio 185.

[2]The last six words were added by John Hancock. The report, in the writing of James Duane, is in the *Papers of the Continental Congress*, No. 20, II, folio 5.

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That there is due to the Rev. Robert M'Murdie, for his services as chaplain for one month and one day, in Colonel Watt's batallion of the flying-camp, the sum of 34 40/90 dollars:

That there is due to George Graeff, and to be paid to William Govett, for pay due to part of his company of Colonel Cunningham's batallion of Lancaster county flying-camp, from the 10 of December to 1 January, the sum of 114 82/90 dollars:

That there is due to Captain Hand's company of Colonel Lawrence's batallion of flying-camp, for the balance of subsistence due on his pay roll, the sum of 86 41/90 dollars:[1]

That there should be paid to the Reverend James Caldwell, for the services of a company of light horse of Essex county, in the state of New Jersey, commanded by Captain Jacob Wynans, their horse hire and expences, the sum of 4,873 54/90 dollars:[2]

Ordered, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

[1]This report is in the *Papers of the Continental Congress*, No. 136, I, folio 197.

[2]This paragraph is based upon the following report of the Board of Treasury, May 27, 1777:

"That they took into Consideration the Petition of the Reverend James Caldwell, setting forth the services of a Company of Light Horse of Essex County, State of New Jersey, Commanded by Capt Jacob Weinans, raised the 25th December, 1776, and discharged the 17th March, 1777, And are of opinion that there should be paid to the said James Caldwell for the services of the said Company, this Horse hire and expences, the sum of Four thousand Eight hundred and seventy three Dollars and 541/2 90 of a Dollar."

It is in the *Papers of the Continental Congress*, No. 136, I, folio 199.

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WEDNESDAY, MAY 28, 1777

Resolved, That a warrant be drawn on the commissioner of the loan office for the State of Pensylvania, in favour of James Neilson, or order, for the sum of 15,233 54/90 dollars; the same being in full of a bill of exchange drawn by Levinus Clarkson and John Dorsius, on Robert Morris, Esq. dated at Charlestown, South Carolina, March 29th, 1777; and that the same be charged to the account of the Secret Committee.

Resolved, That fifty blank commissions be sent to the State of Georgia, for filling up vacancies in the several batallions of foot, the regiment of rangers, and artillery companies in that State kept up at the continental expence:

That blank commissions be delivered to the delegate of North Carolina, for the officers of the continental batallions from that State, on their march to head quarters.

Resolved, That three thousand dollars be advanced to the delegate of North Carolina, for the use of the State; the said State to be accountable.

A letter, of the 27, from Dr. B. Rush, was read:

Ordered, That it be referred to the Medical Committee.

A memorial from David Forman and William Harrison, was read:[1]

Ordered, That it be referred to the Board of War.

Congress resumed the consideration of the report on the commissary's department; and after some time spent thereon,

Resolved, That the farther consideration thereof be postponed till to morrow.

The several matters, &c. ||to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.||

[1] This memorial is in the *Papers of the Continental Congress*, No. 41, III, folio 179.

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THURSDAY, MAY 29, 1777

A letter, of the 28, from General Washington, at Morristown, with one enclosed from General W. Howe;

A letter, of this day, from Joseph Trumbull, commissary general;

And one, of the 26, from John Laurance, judge advocate general, were read:[1]

Ordered, That the letter from General Washington, and that from John Laurance, be referred to the Board of War.

A petition from Thomas Boulton, Anthony Gilchrist, and John Jordan, prisoners, was presented to Congress, and read:

Ordered, That it be referred to the Marine Committee.

Resolved, That a committee of three be appointed to form an estimate of the number of teams which will be requisite to convey the necessary provisions for the use of the army, under the command of General Washington, in such quantities that the said army may be well supplied; and that the commissary general lay before the said committee, a particular state of all the magazines of provisions already laid up, specifying the quantity and quality of the respective species of provisions in each magazine, and the place where such magazines are formed:

The members chosen, Mr. [William] Duer, Mr. [Arthur] Middleton, and Mr. [Thomas] Burke.

Resolved, That a committee of three be appointed to confer with Mr. J. Trumbull on the subject of his letter to Congress, and General Washington's letter to him:

The members chosen, Mr. R[ichard] H[enry] Lee, Mr. [Abraham] Clark, and Mr. J[onathan] B[ayard] Smith.

[1] The letter of Washington, with a copy of Howe's, is in the *Papers of the Continental Congress*, No. 152, IV, folio 195. It is printed in *Writings of Washington* (Ford), V, 394. That of Trumbull is in No. 78, XXII, folio 221; and that of Laurance, is in No. 78, XIV, folio 167.

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Resolved, That no persons, horses, or carriages going to the army with provisions, and returning from thence, be pressed upon any pretence whatever.

Ordered, That this be published.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That Colonel Harrison's regiment of artillery be ordered from Virginia to head quarters, agreeably to General Washington's request.[1]

Resolved, That the treasurer return to the Board of Treasury, certificates of the names and qualifications of the persons who are or shall be appointed to be inspectors and signers of the bills of credit, directed to be emitted by a resolution of Congress, passed on the 20th instant.[2]

A petition from Abiathar Rhoades, was read:[3]

Ordered, That it be referred to the Board of War.

Mr. P[hilip] Livingston, Mr. [James] Duane, and Mr. [William] Duer, three of the delegates for the State of New York, attending Congress, having received a certificate of the appointment of delegates for their State, laid the same before Congress, which were read, and are as follows:

IN CONVENTION OF THE REPRESENTATIVES
OF THE STATE OF NEW-YORK,
Kingston, May 13, 1777.

Resolved, That five delegates be elected by ballot to represent this state in Congress, until the legislature of this state shall, at their first meeting, make further provision; that three at least of the said dele-

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 189.

[2] This formed a part of a report of the Board of Treasury, dated May 24. It then read: "That the Inspectors of the Press for the Emission last ordered, transmit to the Board of Treasury, Certificates of the Qualifications of themselves and also of the signers and Printers of the said Emission." It is in the *Papers of the Continental Congress*, No. 136, I, folio 193.

[3] This petition is in the *Papers of the Continental Congress*, No. 42, VI, folio 413. It is indorsed by Richard Peters: "Petitioner to have a Pass to go to Governor Trumbull, to whose Discretion it is to be left whether he shall go to Long Island."

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gates shall statedly attend; and that any two or more of them so attending, be a quorum, and enabled to represent and give the vote of this state in Congress. The ballots of the several counties being taken and told, it appears, that the hon. Philip Schuyler, Philip Livingston, James Duane, William Duer, and Gouverneur Morris, esqrs. were duly elected to be the said delegates. Thereupon, *Resolved*, That the gentlemen abovenamed, be the present delegates of this state at Congress; and that the said delegates do, from time to time, give their attendance in Congress, according to the orders of the council of safety of this state. *Resolved*, That the thanks of the representatives of this state in convention, be given to Philip Livingston, James Duane, John Jay, William Floyd, Henry Wisner, Philip Schuyler, George Clinton, Lewis Morris, Francis Lewis, and Robert R. Livingston, jun. esqrs. delegates of this state, in the honorable the Continental Congress, for their long and faithful services rendered to the colony of New-York, and to the said state.

Extract from the minutes,

PIERRE VAN CORTLANDT, *Vice-President.*

Attest, JOHN M'KESSON, *Secretary.*

The committee appointed to prepare an address to the inhabitants of the United States, reported a draught, which was read.

To the inhabitants of the United States.

FRIENDS AND FELLOW CITIZENS—

In free States an unreserved Communication of Sentiments, as well as an Union of Interests should always subsist between those who direct, and those who delegate to them the Direction of public Affairs. That your Interests and ours are inseparable, is a Truth of which we are clearly convinced; and our Conduct is, we trust an uniform Testimony of this clear Conviction. We wish that, upon every Occasion, you may have the fullest and most perfect Views of the Situation in which you stand; but we look upon it as peculiarly our Duty, at this Time when a new Campaign is opening, to address you upon some important Subjects, with which your Freedom and Happiness are very intimately connected.[1]

[1] In the margin is written "Congress ought not to suppose a necessity for Expressing this. It ought not to appear that the Negative of it could ever suggest itself to Congress." These marginal notes are by Thomas Burke.

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Let us begin with contemplating in Retrospect, the Scenes, which are already passed. Entitled to the Character of Freemen you saw a system formed for debasing you to the Condition of Slaves. Vested by bounteous Heaven with the Right of being governed by yourselves, or by those, upon whom you devolved the Powers of Government, you saw others, avow a Claim of governing you, without your Consent in all Cases whatever. Alarmed at Pretensions, to which Submission would have been Treason, you did, what a free and temperate People ought to do,—you petitioned and remonstrated against your Grievances; but you petitioned and remonstrated in a Tone which evinced your Determination never to bear them. Your Oppressors *turned a deaf ear*[1] to your Supplications. Your Wrongs were multiplied, and [their Severity was][2] increased. To feel, and to say that you felt them, were accounted Crimes.[3] Arms were employed to punish you for not surrendering your Birth-right; and to wrest from you what you would not relinquish. What remained on your Part to be done? To oppose Force by Force. The Sword that is drawn in the Defence of Liberty is consecrated.

Though War had been commenced by your Enemies, yet did not you nor your Representatives desist from applying, in the most respectful Manner, for Redress? *It*[4] was deemed inconsistent with the Dignity of those, who assumed the Rule over you; *to*[5] vouchsafe you an Answer. The ill founded Claim of governing you was the Injury offered; and you could not be heard till that ill-founded Claim was admitted. The War was prosecuted against you with unremitted Violence, and, on many Occasions, with Circumstances of Cruelty, disavowed by the Maxims and the Practice of civilized Nations. Though, at no Time, you had transgressed the Bounds of your Duty as subjects, and though your Resistance to illegal Government ought to have had peculiar Merit with a Prince whose Family [had been by a similar] Resistance ~~had led~~ [elevated] to the Throne, yet this virtuous Principle was pronounced Rebellion, and you were excluded from the Protection of the British Crown.

[6] Now the political ~~Bands~~ Connexion between you and Great Britain

[1] "is not this a vulgarism. amend it thus, 'refused even to hear'"

[2] Inserted by the commentator.

[3] "of the deepest Dye," in margin by the commentator, but struck out.

[4] "dele 'it'"

[5] "begin sentence with 'To vouchsafe &c.'"

[6] "This does not enter my Mind with sufficient force, clearness and Simplicity, neither the reasoning or motive is full, satisfactory or conclusive."

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was ~~burst asunder; the Compact was on her Part dissolved, and you ceased to be~~ [was dissolved, and she would not consider you as] Subjects, because you would not be Slaves. But the Means of Freedom will never be wanting to those, who resolve to be free. Liberty was, in happier Times, enjoyed under the British Constitution: It will grow however with proper Culture, in every Soil. The [transplanted] Branch ~~which is transplanted~~ will flourish, though the Root be rotten. By your Authority your Delegates, in Congress assembled declared that you were free and Independent States.

Much Industry has been employed, on this and on the other Side of the Atlantic to misrepresent this Declaration, and the Principles and Motives, on which it was founded. It has been considered as forming a new Æra in the Contest; as a Departure from the Maxims, on which you originally set out, and as the only Bar to an Accommodation with Great Britain: This Matter deserves to be placed in a clear and proper Point of View.

Was it necessary for you to enter into this Controversy? An Attention to its Importance will discover the true Answer. It was not a Dispute about Affairs of trivial Consequence—about Claims or Rights which might have been admitted or given up, without materially affecting you. Your Property and your Lives—your Liberties and those of your Posterity—every Thing on Earth worth contending for—all were involved in the Decision of the momentous Conflict.

If it was necessary to enter into the Controversy, at what Stage in its Progress, ought you to have stopt? Are there certain Lengths, to which Freemen may go, in asserting their Freedom, and no farther? Does the sacred Blessing deserve a Petition or a Remonstrance, and nothing more? If Arms may be taken up in its Defence, when should they be laid down? When the Attack upon it is abandoned, or effectually repulsed.

The Truth is, that Independence was the natural, and when it was declared, the necessary Result of *your* Determination to defend and of the Determination of *your Enemies* to destroy your Liberties; that the Support of it is now become essential to the Success of your Cause; and that every Bar to an Accommodation with Great Britain which existed before it, exists still. Every Principle, which justified your Opposition at its Commencement, justifies it at its present Height.

The Claim of Great Britain was to bind you, by her Laws, in all Cases whatever: Your Right was to be bound only by Laws made by yourselves, or your Representatives. Is your Right less certain, or of

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less Importance now, than it was at the Beginning of the Controversy? Has any Thing happened to shew the Propriety of receding from it? Is the Claim of Great Britain less pertinaciously prosecuted now than formerly? Has any thing happened to shew the Propriety of admitting it? What Change, then, can be pointed out, in the Merits and Principles of the Contest? A fond Hope long lingered in your Breasts, that your Enemies would give up their unjust Pretensions; and that a Reconciliation, on the Principles of the British Constitution, would take Place. But Experience shewed the Hope to be vain. Determined never to part with your Liberties; and convinced that Great Britain would not suffer you to enjoy them in Connexion with her, you took the only Course left—you separated.

This is a true and undisguised State of the Matter. Upon that Part of it, which relates to you, it is unnecessary for us to enlarge; because you know your own Rights, your own Principles, your own Conduct, and your own Determinations. What relates to Great Britain, her Prince, her Ministers and her Emissaries deserves a farther Illustration, in the Course of which we shall discover that the Disingenuity of the Arts has been equal to the Cruelty of the Arms employed against you.

Commissioners, at the Head of *Fleets* and *Armies* were sent to restore *Peace* to America. After their Arrival, they issued a Proclamation, containing a Promise of Pardon. A Pardon implies a precedent Crime. What Crime was it, which the Pardon so graciously proferred, was meant to extinguish? That of refusing to surrender your Birthright and to be bound, in all Cases, by the Acts of the British Parliament. To receive a Pardon was to acknowledge that asserting the essential Rights of Freemen was criminal; and to promise never to assert them any more. And yet in the same Proclamation, mention is made of constitutional Liberty. What Meaning did those, stiled Commissioners *intend* to convey by these Expressions? What Meaning where they *empowered* to convey? Those Questions are far from being of the same Import. By an Art, unknown to Openness and Candour, the Commissioners insinuated that the Plea of Independence was the only one, that was inadmissible, when they were conscious, that though that Plea had been relinquished, they must have refused to admit every other; for till an absolute Submission was made on your Part, they had no Authority to enter into any Negotiation on theirs. This appears beyond all Contradiction from the Declarations

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of the Ministers and from the Debates in the Houses of Parliament. We descend not to the Animadversions, which such Duplicity merits.

No middle Line can now be drawn. Absolute and unconditional Submission to their Power is the End, long intended, and now avowed on the Part of the King and Parliament of Great Britain. Freedom and Independence, now the necessary Guard and Instrument of Freedom, are the ~~Ends~~ Objects proposed by you. Which ought a wise and virtuous People to chuse? Absolute and unconditional Submission! These are Terms, to which your Ears have been unaccustomed. It behoves you ~~now~~ fully to understand their Meaning. Absolute and unconditional Submission! The Horrours of *Asiatic* Slavery rush into your View. Behold a Wretch—the Property of his Lord and Master—without any Thing that he can call his own—without Lands—without a Wife—without Children—without Enjoyment—without Hope—doomed to be subservient to the Luxury, the Pride, the Caprice, and the Ambition of another—*that* Wretch is under absolute and unconditional Submission. What would be the Consequences of your absolute and unconditional Submission? You would be degraded from the Rank of Freemen which you now possess: You would be numbered among Slaves. You might plow and plant and sow; but you would not plow or plant or sow for yourselves: Your haughty Masters would reap the Harvest of your Labours. The Expence of subjecting you, and of keeping you in Subjection would be required from your Hands: And it would be imputed to you as a Crime, that the Ambition and Jealousy of your Tyrant obliged him to be at that Expence. What would be the Lot of your Children? Your Feelings will not permit you to trace the Subject. Let us turn our Eyes from the dismal Scene; and direct them to the most delightful Prospects.

What will be the Result of your Freedom and Independence? You will sit under your own Vine, and under your own Fig-tree, none being permitted to make you afraid. All political Power will be derived from you; and will be exercised only by such Persons, during such Terms in such Manner and for such Purposes as you shall appoint. Those who shall be entrusted with the Management of public Affairs, will be the Servants, and not the Masters of the States. Laws made by yourselves, or by your Representatives, will be the Rule of your Conduct. In those Laws Virtue will find Protection, and Vice will meet with her proper Punishment. Your Property will

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be secure; and Justice will be regularly and impartially ~~executed~~ dispensed. An honest Industry will have every Encouragement: Commerce will be ~~expanded~~ extended to every Quarter of the Globe: Learning and the Arts will flourish: All Circumstances will combine to render you free and good and happy: And you will have the best founded Hopes, that your Posterity will be free and good and happy after you.

But are you able to establish and to support your Independance? This is an interesting Question; and as, from our Situation and the Trust, which you have been pleased to repose in us, it is in our Power to furnish you with Materials for an Answer to it, we shall with the utmost Plainness and Candour lay before you, on one Hand, the Dangers, to which you are exposed; and on the other, the Expectations, which you may reasonably entertain of Success.

The first, and indeed the chief Danger, which we wish to point out to you, is that of forgetting and forsaking the Principles and Maxims by which your Hearts were animated, and your Conduct was directed, at the Commencement of the present Controversy. While the Struggle shall continue, the Virtues necessary for supporting it must be cultivated. These are Industry, Œconomy, Patriotism, Vigour and Disinterestedness. Ease and Opulence will naturally follow, but will never produce a prosperous Issue of the Conflict.

Another Danger arises from Dissensions and Animosities about Matters of Government. We are far from wishing you to be indifferent about the Constitutions, under which you and your Posterity are to live. What we mean to recommend is, that the Differences which arise concerning them should be conducted in such a Manner as not to withdraw or exclude your Attention, your Zeal or your Services from the great Cause, in which we are all engaged, and on the Decision of which the Freedom and Happiness, or the Slavery and Wretchedness of all depend. Above all, let not private or party Interest rise superior to that of the public: No Symptom forebodes more fatal Consequences than this.

A third Danger proceeds from the secret Arts and Machinations of Emissaries sent among you by the Enemy, and of the Disaffected among yourselves. They gain and transmit Intelligence: They invent and propagate false and injurious Reports: They create and foment Jealousies between States and Individuals: They magnify the Power, Numbers, and Resources of the Enemy: They undervalue yours. By

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these Means, the timid are dismayed; and the honest but unsuspicious, are misinformed and misled.

Let us now consider the Expectations of Success, which you may reasonably entertain: Your Troops are animated with the Love of Freedom: They have fought and bled, and have often been victorious in the Discharge of their Duty as good Citizens, as well as brave Soldiers. Regardless of the Inclemency of Seasons, and of the Length and Fatigue of Marches, they have gone and acted, with Cheerfulness, wherever the cause of Liberty and their Country has required their Service: They have not, we confess, enjoyed the Advantages arising from Experience and Discipline: But Facts have shewn that native Courage, warmed with Patriotism, are sufficient to counterbalance those Advantages. Their Experience and Discipline will daily increase: Their Patriotism will receive no Diminution: The longer those who forced you into this War, oblige you to continue it, the more formidable you will become.

The Army is now put upon a very respectable Footing; whether we regard its Numbers, or the Term of its Inlistment. The most liberal Establishments are made for procuring Relief and Assistance for the sick and the wounded. Arms, Ammunition, Artillery and military Stores are amply provided. Cloathing has been imported and manufactured in very large Quantities: The increasing Industry and Skill of the Inhabitants; and the growing Commerce and Connexion with foreign Countries promise still larger Supplies. The Fertility of your Fields and Pastures, and the little Labour necessary for cultivating them ensure Plenty of Provisions of every Kind.

But your Strength and your Resources are not confined to the Operations by Land. You can exert yourselves likewise by Sea. Your Sailors are hardy and brave: You possess, beyond any Nation on Earth, all the Materials for Shipbuilding: Your Artificers can work them into Form. You cannot *yet* vie with the Navy of England; though that Navy too had *its Beginnings:* But you may nevertheless be able to defend your own Coasts; and in Time—a much shorter Time, perhaps than the most sanguine now imagine—may control that haughty maritime Power, which has so long spread her Terrors to the most remote Regions of the Globe. Your Fleet will soon be in a Situation to perform important Services. Your Privateers have already given a severe Blow to the British Commerce; and have enriched you, at the same Time that they have distressed your Enemies.

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Along with these Advantages on your Side, many Disadvantages on that of the Enemy should be taken into the Account. The War is carried on by them at a very great Distance from the Seat of their Power. Their Troops, and the Stores and Provisions necessary for them, must be transported, with much Cost and Risque, by Sea. The Number of Men employed in their Shipping is almost equal to that of those serving in the Field. This enhances the Expence of their Armaments. Add to all those Circumstances, the Delays and Losses, which must be occasioned by the long Voyages of numerous Fleets.

It is in your Power to avoid every Danger, and to check the Progress of every Evil, which threatens you. The Advantages on your Side, and the Disadvantages on that of the Enemy are continually increasing. You entered into the War without Money, without Arms, without Ammunition, without Experience, without Preparations of any Kind. You have sustained it during two Campaigns against the most vigorous Efforts of a Kingdom, which has been long the Dread of the Nations in Europe; and you are more powerful now, than you were at its beginning.

Is there, then, any reason to doubt of your being able to establish and to support your Independence. None, if you are not wanting to yourselves.

Let Sobriety, Vigilance, Fortitude, Disinterestedness, and firmness form your Character and regulate your Conduct. Join together, with Emulation, but without Jealousy, in the Prosecution of the great Cause, with which all must stand or fall. Watch suspicious Persons: Detect and punish disaffected ones. Let Devotion to the Public invigorate your Actions. Do what it is in your Power to do; and you have the greatest Reason to rest assured that, under the gracious Protection of divine Providence, your virtuous Struggles will be crowned with abundant Success.[1]

~~Resolved, That an order be drawn on the commissioner of the loan-office for the State of New Jersey for 40,000 [dollars] in favour of the paymaster general, who is to be accountable.~~

The committee appointed to confer with the commissary general, returned and reported: That they have had

[1] This report, in the writing of James Wilson, is in the *Papers of the Continental Congress*, No. 24, folio 233. The words inclosed in brackets were interlined by Thomas Burke.

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a conference with him, and received from him an account of the salted provisions laid up in magazines for the supply of the army; that the reason of the present appearance of an immediate want, has arisen from the stores, laid up at Lebanon, being removed to Carlisle, and those in this city to Lancaster, as it is said by order of Congress, without leaving a sufficient quantity for the present supply of the army; but that effectual measures are taking to remedy any inconveniencies arising from this measure:

That Mr. Commissary proposes to repair to head quarters without delay.

Ordered, That Mr. Commissary be directed to enquire particularly into the removal of the provisions from Lebanon, there having been only 40 barrels of beef and 40 ||barrels|| of pork ordered by Congress from that magazine to Carlisle.

Resolved, That 300 dollars be advanced to Captain Charles Fleming, of the 7 Virginia batallion, for the use of the said batallion.

||*Ordered*,|| That 3,700 dollars be advanced to Major Holt Richardson, for the use of the 15 batallion of Virginia forces, and charged to the account of the said batallion.

Congress took into consideration the report of the committee on the commissary's department; and, after debate,

Resolved, That the farther consideration thereof be postponed till to morrow.

||The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.||

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FRIDAY, MAY 30, 1777

A letter, of the 29, from General Washington, at Middlebrook; one, of the 29, from Lewis Morris, aid de camp to General Sullivan, at Princeton; and one, of the same date, from Governor W. Livingston, at Haddonfield, were read:[1]

Ordered, That a copy of the letter from Lewis Morris be sent to the supreme executive council of the State of Pensylvania; and that the letter from Governor Livingston be referred to the Board of War.

The Committee on Foreign Applications brought in a report, which was taken into consideration; Whereupon,

Resolved, That blank commissions be sent to General Washington, for the French officers lately arrived in the *Amphitrite*, to be filled up agreeable to a list to be forwarded to him by the committee; the rank of each class of the said officers to be settled by the date of their commissions from the king of France.

Congress resumed the consideration of the report on the commissary's department; and, sundry amendments being made in the two first paragraphs,

Resolved, That the report be re-committed to be drawn into form and accommodated to the amendments made.

A letter, of this day, from Thomas Wharton, Esqr president of the supreme executive council of the State of Pensylvania, was read:[2]

Ordered, That it be referred to the Board of War.

Resolved, That an order be drawn on the treasurer at Baltimore, for 25,000 dollars, in favour of Colonel Moylan, for the use of his regiment; he to be accountable.

[1] The letter from Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 203.

[2] This letter is in the *Papers of the Continental Congress*, No. 69, I, folio 363.

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Ordered, That Colonel Moylan lay before the Board of War, a particular estimate of the expence of raising and equipping one troop of light-horse; and, before the Board of Treasury, an account of the expenditure of the money already advanced him.

The Committee of Treasury reported,

That there is due to George Gilbert, serjeant in Captain Krumrun's company of Lieutenant Colonel Richard Dean's batallion, who was taken prisoner the 17 September, and for his mileage, a balance due of 21 54/90 dollars:

That there is due to Christian Wirtz, for rations he supplied sundry batallions of militia at Lancaster, on their march to this city, in December and January last, 386 72/90 dollars:

That there is due to Captain Daniel Dorsey, of Colonel Hall's regiment of Maryland forces, for the subsistence of his company, the sum of 930 64/90 dollars:

That there should be advanced to Robert Jewell, in part payment of his account for the maintenance of state prisoners in the new jail of this city, the sum of 1,000 dollars:

That a warrant should be drawn on the treasurer in favour of John Ommensetter, for the payment of a light waggon, which was pressed at Baltimore, last winter, to bring money to this place, and not returned him, it being employed in the service of the States, and now remains with the waggon master general in this city, for 133 30/90 dollars:[1]

That there is due to the field officers and three others of the 2d batallion of Chester county militia, commanded by Colonel Hockley, and to be paid to him for sundry rations, as per their account, 37 70/90 dollars:

[1] This report, dated May 30, is in the *Papers of the Continental Congress*, No. 136, I, folio 203.

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That there is due to the five Messrs. M'Donalds, who are prisoners at Reading, for their and their three servants' allowance, from 12 March to 4 June, 156 dollars.[1]

Ordered, That the said accounts and sums be paid.

The Board of War brought in a report, which was read:

Ordered, To lie on the table.

The several matters, &c. ||to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.||

SATURDAY, MAY 31, 1777

William Ellery and Henry Marchant, Esqrs. delegates from the State of Rhode Island and Providence Plantations, attended and produced the credentials of their appointment, which were read, and are as follows:

"By the honorable Nicholas Cook, esq. governor, captain-general, commander in chief of and over the state of Rhode-
[L. S.] Island and Providence-Plantations: To William Ellery, esq. greeting:—Whereas, by the free vote of the freemen of the said state on the first Wednesday of May instant, you, the said William Ellery, was elected a delegate to represent the said state for one year in the general Congress of delegates from the thirteen United States of America, now sitting in Philadelphia, or wherever the same may sit: I do, therefore, in the name of the governor and company of the said state, hereby authorize, empower, and commissionate you, the said William Ellery, in conjunction with the other delegates that are or may be elected delegates of the said state, or separately and alone, in case of the sickness or the necessary absence of the other delegates of said state, to represent the said state in the said general Congress; and, in behalf thereof, to join with the delegates from the other states, or the major part of them, in all such measures as shall be thought best for promoting the defence and wel-

[1] The last two paragraphs are in a report, dated May 29, in the *Papers of the Continental Congress*, No. 136, I, folio 201.

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fare of the said United States, agreeable to the instructions given, or that may be given, you by the general assembly.

Given under my hand, and the seal of the said state, at Providence, this 7th day of May, in the year of our Lord one thousand seven hundred and seventy-seven.

NICHOLAS COOKE.

By his honor's command, HENRY WARD, *Secretary*."

The commission to Henry Marchant Esqr was expressed in the same words.

The Committee for Foreign Affairs brought in a draught of a commission to A. Lee, commissioner at the Court of Madrid, which was read.

Resolved, That the consideration thereof be postponed to Wednesday next, and that on that day, Congress resolve itself into a Committee of the Whole to take into consideration the state of foreign affairs, and the instructions given to the Commissioners of Congress at foreign Courts.

Congress resumed the consideration of the report on the commissary's department; and, after some time spent thereon,

Resolved, That the farther consideration thereof be postponed to Monday.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

MONDAY, JUNE 2, 1777

Nicholas Vandyke, Esq.r a delegate from the State of Delaware, attended, and took his seat.

Two letters, of the 31 of May, from General Washington, at Middlebrook, with sundry papers enclosed;

One, of the same date, from General Sullivan, at Princeton, to General Arnold;

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One, of the 24 of the same month, from General Gates, at Albany, with sundry papers enclosed;

One, of the 17th of May, from General Heath, at Boston, with the proceedings of a court-martial on Peter Pickman Fry, a soldier;

One, of the 15, from Mons. du Coudray;

And one, of the 15, from Jeremiah Powel, president of the council of Massachusetts bay, with sundry papers enclosed;

And a memorial from Messrs. Archibald, Allan and Ronald M'Donald, at Reading, were read:[1]

Ordered, That the letter from Jer. Powel be referred to the Marine Committee; and that the other letters, with the papers enclosed, be referred to the Board of War.

Ordered, That extracts of intelligence received, so far as it respects the enemy's designs on Philadelphia, be transmitted by the delegates of Pensylvania and Delaware, to the executive power of their respective State:

That the commanding officer at Philadelphia be directed to send a muster master to muster the militia at Bristol, and make a return to Congress.

Congress resumed the consideration of the report of the committee on the commissary's department; and, after some time spent thereon, and sundry amendments made,

Resolved, That the said report be re-committed.

The Committee of Treasury reported,

That there is due to Margaret Holmes, for 42 meals supplied the militia, the sum of 4 18/90 dollars:

[1] The letters of Washington are in the *Papers of the Continental Congress*, No. 152, IV, folios 207 and 216. One is printed in *Writings of Washington* (Ford), V, 401. That of Sullivan is in No. 160, folio 31; that of Gates, in No. 154, I, folio 208; that of Heath in No. 157, folio 13. The petition from the McDonells is in No. 41, VI, folio 7, with the endorsement in Richard Peters' writing: "To enquire of Mr. Duer and Mr. Duane. Mr. Duane does not think the Petitioners' request as to a Pass should be complied with."

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That there is due to William Shaw, for his account for thirty powder barrels, cooperage, &c. the sum of 64 66/90 dollars.[1]

Ordered, That the said accounts be paid.

Mr. Burke, the delegate attending from North Carolina, laid before Congress credentials of the appointment of delegates for that State, which were read, as follows:

STATE OF NORTH-CAROLINA.

To Thomas Burke, John Penn, and Cornelius Harnett, esqs. greeting: Whereas the general assembly hath elected you delegates to attend the Congress of the United States: these are, therefore, to commissionate, authorize, and empower you, the said Thomas Burke, John Penn, and Cornelius Harnett, to attend the said Congress of the United States of America, in behalf of this state, until such time as the general assembly shall direct otherwise; and you are hereby invested with such powers as may make any act done by you, or any of you, or consent given in the said Congress, in behalf of this state, obligatory on every inhabitant thereof. Witness, Richard Caswell, esq. governor, captain-general, and commander in chief of the said state, under his hand and seal at arms, at Newbern, the 4th day of May, Anno Domini, 1777, and in the first year of the independence of this state.

RICHARD CASWELL.

By his excellency's command,

JS. GLASGOW, *Secretary*.

A memorial from Jacob Fantz was read:[2]

Ordered, That it be referred to the Board of Treasury.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That a letter be written to the council of Massachusetts bay, and to the governor and council of Virginia, acquainting them, that Congress have received information, that General Lee is treated by General Howe with kindness, generosity and tenderness, and desiring

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 207.

[2] This memorial is in the *Papers of the Continental Congress*, No. 41, III, folio 183.

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the former to treat Colonel Campbell, and the latter to treat the five Hessian officers, with kindness, generosity, and tenderness, consistent with the confinement and safe custody of their persons.[1]

Ordered, That twenty copies of the volume of journals be delivered to the delegates of each State, for the use of their respective States; and that the remainder of the 700, which Congress agreed to take, be lodged in the secretary's office, for the use of members.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, JUNE 3, 1777

Virginia attended ½ after 11. Georgia ½ after 11. New York ——. Maryland ——.

A letter, of the 6 February last, from Benjamin Franklin and Silas Deane, Esqrs. and one, of the 27 November last, from Silas Deane, Esqr. by Monsieur du Coudray, were read:[2]

Ordered, That they be referred to the Committee on Foreign Applications.

A memorial from Joseph Trumbull, Esqr. was read, setting forth, "That he has paid many of the officers who served in Canada the last campaign, their extra-rations

[1] The report of the Board, dated May 30, read as follows:

"That the Council of the Massachusetts Bay be informed that a Letter from General Lee of the 19th Instant to Robert Morris, Esq., having been laid before Congress, wherein, it is set forth, that, 'General Lee's table is very handsomely kept by the General (Howe) who has indeed treated him in all respects with kindness, Generosity and Tenderness' the Council of the said State be requested, to treat Lieutenant Colonel Campbell with every kindness and civility, consistent with the Confinement of his person." It is in the *Papers of the Continental Congress*, No. 147, I, folio 195.

[2] These letters are printed in *Diplomatic Correspondence of the American Revolution* (Wharton), II, 261, 265.

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and back allowances while in Canada, at the rate of one shilling, lawful money; and from, and after their return to Ticonderoga, to the 17 September, 1776, at the rate of seven pence half-penny, like money, per ration; and thought himself justified therein by the direction of Messrs. Clymer and Stockton, the committee for regulating the affairs in the northern department, when at Ticonderoga, in October last: that, to his great surprize, the commissioners of accounts, in that department, refused to allow the same in his accounts."

Congress, taking the same into consideration, and it appearing, from a certificate of Major General St. Clair, dated the 15 May, that the commissioners, when at Ticonderoga in October last, settled the extra-rations due the officers in the following manner, viz. from the time they left Ticonderoga to go into Canada, until they returned to Crown Point, at one shilling, lawful money, per ration; from that time, to the 17 September following, at 7½, like money; and afterwards at 8/90ths of a dollar per ration; and that the commissaries were ordered and did pay accordingly; thereupon,

Resolved, That the commissioners for settling accounts in the northern department, be directed to allow and pass the commissary's accounts, agreeable to the said settlement.

Resolved, That a committee of three be appointed to devise ways and means of supplying the United States with salt:

The members chosen, Mr. J[onathan] B[ayard] Smith, Mr. [Henry] Marchant and Mr. [George] Frost.

Congress resumed the consideration of the last article in the report from the Board of War of the 23 of May, respecting the rank of officers; and, a new motion on that subject being made and seconded,

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Resolved, That the report be re-committed, and that the motion made be referred to the Board of War.

Resolved, That a committee of three be appointed to devise ways and means of supplying the army with shoes, hats and shirts:

The members chosen, Mr. [Roger] Sherman, Mr. [Abraham] Clark and Mr. J[onathan] B[ayard] Smith.

Resolved, That the Board of War be directed to furnish the supreme executive council of the State of Pensylvania, with such arms as may be necessary for the use of such of their militia as are now called into service, and which cannot otherwise be supplied; the said State to be accountable; and that it be strongly recommended to the said council, to make use of the most effectual means, that the arms, so furnished, may be returned to the commissary general of military stores, or to one of his deputies.

Resolved, That a committee of three be appointed to confer with the Board of War of the State of Pensylvania, and that they be empowered to employ some skilful persons to view the works and defences erected at, and near Billingsport, and report their opinion, whether those works ought to be completed or demolished:

The members chosen, Mr. [William] Duer, Mr. J[ohn] Adams and Mr. [Arthur] Middleton.

The delegates of Pensylvania laid before Congress a report of the committee of the whole house of assembly of the State of Pensylvania, with a resolution of the house thereupon, which was read:

Ordered, That it be taken into consideration on Thursday next.

Congress resumed the consideration of the report of the committee on the commissary's department, and, after some time spent thereon,

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Resolved, That the farther consideration thereof be postponed.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, JUNE 4, 1777

A letter, of the 2d, and one, of the 3d, from General Sullivan, at Princeton, were read; also, a letter of the 14 April last, from J. Rutledge, Esqr president of|| the council of|| South Carolina, advising, "That Colonel William Kennon, in consequence of a settlement of his account against the Continent, so far as it has been liquidated by him, the said J. Rutledge, in pursuance of the resolve of Congress, has drawn ten bills of exchange, all of the date of this letter, from N. 27, to N. 36, both inclusive, for five hundred dollars each, on the continental treasury, in favour of David Flowers." At the same time was presented for payment, one of the said bills, being the first of the set, N. 27;[1] Whereupon,

Ordered, That the said bill be paid.

The committee to whom was referred the memorial of the State of North Carolina, of the 23 of December last, together with the papers accompanying the same, brought in a report, which was taken into consideration; Whereupon:

Resolved, That it be recommended to the State of Massachusetts bay, to order diligent enquiry to be made concerning the matter complained of in the said memorial; and, unless the master and owners of the privateer, mentioned in the said memorial, can shew good and sufficient cause to the contrary, to order full restitution to be

[1] The letters from Sullivan are in the *Papers of the Continental Congress*, No. 160, folios 35 and 39. The letters of advice from Rutledge are in No. 72, folios 353–439.

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made, and the offenders to be punished for their violation of the rights of our fellow citizens, and of the laws of nations; and to report to Congress the proceedings which shall be had in the premises.

~~Resolved, That General Mifflin be directed to repair to head quarters, agreeable to the orders he has received from General Washington.~~

A letter, of this day, from General Mifflin, was read, wherein he informs, that, "since the last order of Congress to him to remain in Philadelphia, he has received a letter from General Washington, wherein the General expresses an anxious desire to have the heads of his several departments in the field with him;" and, therefore, desires the further orders of Congress; concluding, "If Congress have no interesting business for him in Philadelphia, he should be glad to have an opportunity of joining the army, agreeable to the General's letter."[1]

Resolved, That General Mifflin have leave to repair, immediately, to head quarters.

Ordered, That the letters from General Sullivan be referred to the Board of War.

The commissioners for adjusting accounts, to be presented to Congress for payment, having rendered the sums due on the following accounts, to the auditor general, he reports,

That there is due to Adam Eichelberger, for victualling sundry troops and ferriage, the sum of 17 63/90 dollars:

That there is due to Frederick Curtis, for victualling sundry troops, the sum of 3 42/90 dollars:

That there is due to Thomas Smith, for sundry necessaries supplied the sick troops of the 5th and 6th Virginia regiments, at Wilmington, the sum of 181 89/90 dollars:[2]

Ordered, That the said sums be paid.

[1] Mifflin's letter is in the *Papers of the Continental Congress*, No. 161, folio 12.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 209.

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Agreeable to the order of the day, Congress resolved itself into a committee of the whole, to take into consideration the state of foreign affairs; and, after some time spent thereon, the president resumed the chair, and Mr. F[rancis] L[ightfoot] Lee reported, that the committee have taken into consideration the matter referred to them, but, not having come to any resolutions thereon, desire leave to sit again.

Resolved, That this Congress will, to morrow, resolve itself into a committee of the whole, to take into their farther consideration, the state of foreign affairs.

Whereas, General Howe has, by offers of reward, endeavoured to induce the soldiers of the United States to desert and go over to him;

Resolved, That General Washington be empowered to offer such rewards as he shall judge proper, to deserters from the enemy, whether horse or foot, encouraging them, by suitable offers, to bring with them their arms and horses.

The several matters &c to ||this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

THURSDAY, JUNE 5, 1777

A letter, of the 2 from General Washington, at Middlebrook, enclosing a copy of a letter from General Gates, of the 30 May, at Albany, and one, of the 27 of the same month, from General Poor, at Ticonderoga, ||were read:||[1]

Ordered, That the same be referred to the Board of War.

The Board of War brought in a report, which was taken into consideration; Whereupon,

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 221.

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Resolved, That the clause in General Gates's letter, relative to money, be referred to the Board of Treasury:

That the state of the military chest in the northern department, as transmitted by General Gates, in his letter of the 24 ultimo, be referred to the Board of Treasury:

That Abiathar Rhoades have a pass to go to Governor Trumbull, by the way of Easton and Sussex court house; and that it be left to Governor Trumbull's discretion, whether, or not, the said Abraham Roades shall be permitted to go to Long Island, as he requests in his petition to Congress.

AT A BOARD OF WAR *4th June 1777*

Whereas Congress did on the 16th Day of September in the year 1776 resolve, that the Legislative powers of each of the thirteen United States, should appoint all the Officers in the Regiments to be raised in their respective States; and whereas some States proceeded to the appointment of their Officers at an earlier Day than others, by which Means many of those who were Junior Officers before the said 16th September would take Rank of Senior ones, altho' they should both be promoted to the same Rank in the new Army, to prevent which and that no Controversies may hereafter arise on the subject of Rank it is Resolved,

1. That, every Officer in the Army of the United States, under the Rank of a Brigadier General, who has been promoted or appointed by Congress, by the Commander in Chief, or by the Legislative or executive authority of any of the States, having authority so to do, by virtue of the abovementioned or any Resolution of Congress since the said 16th day of September; and who are not yet Commissioned, shall have their Commissions dated as on the 17th September; 1776, and such who are already Commissioned, the Commander in Chief or Commander in any Department, shall alter to that Date; The Date of said Commissions respecting only the Rank of the Officers, their pay shall commence from the respective times of their Appointments.

2. That all Persons who were Officers before the said 17th day of September and continue so to be, shall have their Rank in the Army determined from the Dates of their Commissions previous to that Day, and if the Commissions of any two or more were of equal Date, the

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Rank of such, with Respect to each other, shall be determined by their former Rank in the Army of the United States, and where that has always been equal then by Ballot to be taken in such manner as the Commander in Chief shall Direct.

3. That, all Persons having heretofore served as Officers in the Army of the United States, and promoted on or since the 17th September, 1776, shall have their rank with respect to each other determined from their former Rank and Date of former Commissions, and if any two or more were of equal Rank, before such Promotion, and all of whose former Commissions bore the same Date, their Rank with respect to each other, shall be determined by Ballott to be taken in such manner, as the Commander in Chief shall direct.

4. That all Persons who have not heretofore been Officers in the Army of the United States and who have on or since the 17th September last been made so, shall have their rank with respect to each other determined by Ballot, to be taken in such Manner as the Commander in Chief shall direct.

5. That the Commander in Chief and Commanders of each Department respectively, shall order Returns to be made to them by the Colonels or Commanding Officers of Corps, specifying the different ranks in which every Officer of such Corps hath or doth serve, with the date of the Commissions he hath held, and the date of the Commission he doth now hold, and where no Commissions have been Issued to them, the date of the appointments noting by whom such appointment was made. And any Officer whatsover that shall presume to make a false Return of the date of his Commission, or of the Rank he holds, or did hold, shall upon Conviction be Ipso facto, Cashiered.

6. That the Board of War immediately write to the Governors, Presidents or Councils of Safety of each of the United States to send a Return, specifying the Names of the different Officers, times of their Appointment, and Rank they hold in the new Established Regiments.[1]

Resolved, That the farther consideration of the report be postponed.

[1]This report is in the *Papers of the Continental Congress*, No. 147, I, folio 197. It contained the paragraphs on Gates and Rhoades dated June 3. It is endorsed by John Hancock:

"Agreed to send a copy to Gen. Washington, he to point out the objections if he has any." See under July 17, 1777, *post*.

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Agreeable to the order of the day, Congress resolved itself into a Committee of the Whole to take into consideration the commission to A[rthur] Lee, Esqr, and the state of foreign affairs, and after some time the President resumed the chair and Mr. Francis L[ightfoot] Lee reported, that the Committee have agreed to the form of a commission to Arthur Lee, Esqr, and come to a resolution on the instructions given to the Commissioners.

The Commission reported by the Committee being read, was agreed to.

Ordered, That a commission be made out and forwarded to Mr. Lee.

The resolution reported from the committee of the whole being taken into consideration, and upon the question put to agree to it, carried in the negative.

Ordered, That R[ichard] H[enry] Lee have leave of absence, his health and private affairs requiring his return to Virginia.

Resolved, That Mr. [Roger] Sherman, Mr. [Henry] Marchant, and Mr. [Nicholas] Vandyke, be added to the Marine Committee.

A letter, of the 4, from Brigadier General Conway, to the board of war of the State of Pensylvania, was laid before Congress, and read; also, a memorial from James Mease, was read:[1]

Ordered, That the same be referred to the Board of War.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

[1] The memorial of Mease is in the *Papers of the Continental Congress*, No. 41, VI, folio 11.

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FRIDAY, JUNE 6, 1777

A letter, of the 3d, and one, of the 5th, from General Washington, at Middlebrook, were read:[1]

Ordered, That they be referred to the Board of War.

Congress resumed the consideration of the report of the Board of War of the 29 of May last; Whereupon,

Resolved, That Congress approve General Washington's conduct as to the cartel for exchange of prisoners, and of the reasoning contained in his letter of the 9th of May, making no doubt of the facts, upon which his arguments are founded, being duly ascertained; and, that the General be informed it is the opinion of Congress, that he strictly adhere to the principles contained in the said letter.

That Extracts of General Washington's and General Howe's Letters on the subject of Lieutenant Colonel Campbell's Confinement be sent to the Council of Massachusetts Bay, with a request that they would enquire into and report the Facts to Congress, who conceive the Assertions in General Howe's Letter to be founded on Misrepresentation.

Resolved, That the deputy judge advocate in the northern army, and the deputy judge advocate of the division of the army now at Peek's Kill, be allowed the rank, pay, and rations of captains.[2]

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That General Washington be requested to cause a return to be made of all regimental chaplains already appointed in the army, and transmit the same to Congress:

[1] These letters are in the *Papers of the Continental Congress*, No. 152, IV, folios 225 and 227. That of the 3d is printed in *Writings of Washington* (Ford), V, 407.

[2] This report, dated May 29, is in the *Papers of the Continental Congress*, No. 147, I, folio 191.

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That a commission be granted to Elias Boudinot, Esqr. as commissary general of prisoners of war; the said commission to be dated the 15 day of April last, and Mr. Boudinot to be allowed the pay and rations of a colonel:

That Elias Boudinot, Esqr, commissary general of prisoners, be empowered to appoint two deputy commissaries of prisoners; the said deputies to be allowed the pay and rations of majors.[1]

A petition of James Moson, a soldier, was read:[2]

Ordered, That it be referred to the Board of War.

The commissioners for adjusting accounts, to be presented to Congress for payment, having rendered the sums due on the following accounts to the auditor general, he reports,

That there is due to Robert Patton, for his attendance on Congress, as door keeper, from 20 February, to the 4 June, being 104 days, the sum of 138 60/90 dollars:

That there is due to Captain Kern's company of Colonel Kachlein's batallion of the flying camp, for sundry guns, blankets, pouches, and powder horns, lost on Long Island and at Fort Washington, being the property of the soldiers, the sum of 613 87/90 dollars:

That there is due to Christian Wirtz, for his pay as commissary, and for his rations for one month one day, the sum of 27 18/90 dollars, he having served the militia on their march, at Lancaster with provisions:[3]

That there is due to the field officers of the 4 batallion of Berks county militia, commanded by Lieutenant Colonel Conrad Shæffer, for the balance of pay, the sum of

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 201.

[2] This petition is in the *Papers of the Continental Congress*, No. 42, V, folio 53. It is endorsed: "Col. Price be desired to discharge the petitioner, on the proviso, the facts set forth in the Petition is as related."

[3] This report, dated June 4, is in the *Papers of the Continental Congress*, No. 136, I, folio 211.

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725 15/90 dollars, to be paid to Lieutenant Colonel Conrad Shæffer:

That there is due to Captain John Patton, of Colonel Potter's batallion of Lancaster county militia, for the mileage of his company, and for a difference of pay to those who were advanced, from serjeants and privates, to officers, serjeants and corporals, the sum of 148 56/90 dollars:[1]

Ordered, That the said accounts be paid.

A petition from Nicholas George Moeballe, a captain in the service of the seven United States of Holland, was read, praying Congress to grant him a commission of lieutenant colonel in the service of the United States; or, if they do not think fit to grant that request, then to grant him a certificate, setting forth, that he did apply and offered his service, and that it was not owing to any fault or bad conduct in him, that Congress did not think it expedient to employ him.[2]

Ordered, That such a certificate be granted to him.

A motion being made and seconded respecting prisoners,

Ordered, That it be referred to the Board of War, who are directed to take the whole matter of the exchange and treatment of prisoners, into consideration, and report fully thereon with all convenient despatch.

Resolved, That the Secret Committee and the Marine Committee be, ||and they are hereby,|| directed to lay before Congress, an account of their proceedings, and of the public money by them expended:

Resolved, That the Secret Committee, without delay, order the several agents, by them employed in the different States, to make up, and lay their accounts before them; and that the said agents lodge with the said committee,

[1] These paragraphs were reported June 5, and are in No. 136, I, folio 213.

[2] This petition is in the *Papers of the Continental Congress*, No. 42, V, folio 49.

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vouchers for the expenditure of the public money entrusted to their care; distinguishing exactly, what commodities have been shipped, with bills of lading therefor, and what remain on hand, with the places where the same are stored; and that the said committee lay the same before Congress:[1]

Resolved, That the Marine Committee, without delay, order the agents, by them employed, in the different States, to make up and lay their accounts before them, and that the said committee lay the same before Congress.

Resolved, That any five members of the Marine Committee be empowered to form a board and proceed to business.

Ordered, That the Committee on Departments proceed on the business committed to them, and make report as soon as possible.

Resolved, That 8,000 dollars be advance to Littlebury Mason, the pay master of the 15 batallion of Virginia forces, commanded by Colonel David Mason, for the use of the said batallion:

That an order for 200,000 dollars be drawn on John Gibson, Esqr in favour of the Board of War, to be by them transmitted to the deputy pay master general, for the use of the northern army.

In consequence of a settlement by the commissioners of accounts, &c., the auditor general reports,

That there is due to Henry Wynkoop, Esqr for board and nursing Lieutenant Simon Wilmot, of the 16 regiment of Queen's light dragoons, who was wounded and taken prisoner at Princeton, 3 January last, for nine weeks and two days, at two dollars per week, 20 51/90 dollars:[2]

Ordered, That the said account be paid.

[1] These resolves, in the writing of are in the *Papers of the Continental Congress*, No. 23, folio 23.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 217.

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The Board of Treasury reported,

That a warrant should be drawn on Michael Hillegas, Esqr. continental treasurer, for 500,000 dollars, to be paid to John Gibson, the auditor general, for which he is to account:

That the assistant auditor, Mr. Govett, hath exhibited his account to them against the United States, in which he charges his salary from the 29 July to the 14 December, 1776, being four months seventeen days, at £200 per annum, amounting to 202 56/90 dollars, of which he hath received 200 dollars; and that there was due to him on the 14 December, 2 56/90 dollars. That from this time he prays a farther allowance; and the board are of opinion, he should receive three dollars per day, which, to the 29th of April last, amounts to 135 days, at three dollars per day, 405 dollars; the whole amounting to 407 56/90 dollars.[1]

Ordered, The said warrant be drawn, and that the above ballance of 407 56/90 dollars, be paid to Mr. Govett.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, JUNE 7, 1777

Resolved, That 400 dollars be paid to Captain John Hunter, and charged to the account of William Palfrey, Esq. pay master general, the same being in full of a bill drawn in his favour, by the said W. Palfrey, dated Morristown, 21 May, 1777.

A letter, of the 13 [May,] from W. Aylett, at Smithfield; one, of this day, from Archibald M'Donald; one, of the 2d, from Henry Fisher and William Peery, with a

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 215.

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muster roll of the independent company raised at Lewis, and a petition from George Hawk, keeper of a ferry on Delaware, opposite to Easton, ||were read:||[1]

Ordered, That the letter of Archibald M'Donald be referred to the Board of Treasury;

That the letter from H. Fisher and William Peery, with the muster roll, be referred to the Board of War; and that the petition from George Hawk be referred to the quarter master general, who is directed to settle with the petitioner, or report particularly to Congress on his petition.

Resolved, That one thousand one hundred and sixty dollars be advanced to Captain James Lees, for the use of his company of artillery; for which Captain Lees is to be accountable:

Resolved, That 4,160 dollars be advanced to Colonel John Hawkins Stone, of the 1st batallion of Maryland forces, for the use of his batallion; he to be accountable:

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That the clothier general furnish each non-commissioned officer and soldier inlisted in the army of the United States, to serve three years, or during the war, with the articles of cloathing enumerated by a resolution of Congress, of the 8 of October last, or other cloathing of equal value, notwithstanding the same costs more than twenty dollars.[2]

Whereas, complaint has been made, that many of the regimental pay masters absent themselves from the army, by which the public service greatly suffers,

Resolved, Therefore, that the commander in chief, and the commanders in the separate departments, be directed to take the most effectual means for compelling all regi-

[1] The letter of Aylett is in the *Papers of the Continental Congress*, No. 78, I, folio 85. That of Fisher is in No. 78, IX, folio 85.

[2] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 205.

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mental pay masters to attend punctually to the duties of their office, and that such as are negligent, be punished and displaced; and that they be respectively empowered to appoint others of ability diligence and integrity, in the room of such as are displaced.

Resolved, That 1,000 dollars be advanced to Captain John Steel, one of the four captains named by General Armstrong, by authority from General Washington, for the use of his company; he to be accountable.

A petition from Jacob Green and others, was read, praying a new hearing on the appeal brought against the judgment in the libel Job Pierce, against the brig *Phœnix:*

Ordered, That it be referred to the Committee on Appeals.

A petition from Charles Harrison and Peter Campbell, was read:[1]

Ordered, That it be referred to the Board of War.

Congress resumed the consideration of the report of the committee on the commissary's department; and, sundry amendments made therein,

Resolved, That it be re-committed.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday next.

MONDAY, JUNE 9, 1777

Mr. [George] Clymer returned.

A letter, of the 5, from General Washington, at Middlebrook, enclosing a letter of the same date from Brigadier General Knox;

Also, one of the 8, from the same;

[1] This petition is in the *Papers of the Continental Congress*, No. 42, III, folio 353. It has an erased endorsement: "granted, on their producing sufficient security for their good behavior." See under June 17, 1777, *post*.

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One, of the 7, from Joseph Reed, Esqr wherein he informs, that "the situation of his private affairs, which are much altered since his acquiescence in General Washington's recommendation, the want of time to qualify himself for that line of service, which he intended and has proposed to him, and a diffidence of discharging it with approbation, oblige him to decline the appointment, which the Congress have been pleased to make of him as a Brigadier General, for which honour done him, he begs leave to express his grateful acknowledgments."

Also a letter, of the 7, from Governor Livingston, with a return of the batallions raised in New Jersey, for the service of the United States, were read:[1]

Ordered, That the letters from General Washington, with the papers enclosed, and the letter from Governor Livingston, be referred to the Board of War.

Resolved, That Mr. [William] Duer be added to the Committee on Intelligence.

An application from Richard Derby, Jun. chairman of the committee of correspondence, inspection and safety, at Salem, in Massachusetts bay, in behalf of Peter Pickman Frye, was read:[2]

||*Ordered*, That it be|| referred to the Board of War.

A letter, of the 6, from General Washington to R. Morris, Esqr enclosing one to Appolos Morris, ||was read; Whereupon,||

Resolved, That General Arnold be directed to put Major Appolos Morris under immediate arrest and confinement, until the further order of this Congress.

[1] The letters of Washington are in the *Papers of the Continental Congress*, No. 152, IV, folios 233 and 245. They are printed in *Writings of Washington* (Ford), V, 411, 418. That of Knox is in No. 152, IV, folio 241, and that of Reed in No. 78, XIX, folio 89.

[2] This application is in the *Papers of the Continental Congress*, No. 42, III, folio 25.

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Ordered, That the letter, of the 6, from General Washington to R. Morris, Esqr with the letter enclosed, be referred to the Board of War.

A petition from Francis Armstrong, was read, praying an order to the clerks of Messrs. Richard Dallam, Mease & Caldwell, or any others, who may have the books ascertaining the sums paid for the batallion commanded by Colonel Porter, to give him, the petitioner, a duplicate of the said accompt from the beginning:

Resolved, That the prayer of the petition be granted.

A letter, of the 6, from Governor Johnson, enclosing a petition from George Handy, and others, and a protest from William Pool, was read:

Ordered, That it be referred to the Marine Committee.

A petition from Hughey Con, was read:

Ordered, That it be referred to the Board of Treasury.

Resolved, That an order for 50,000 dollars be drawn on the commissioner of the loan office for the State of Pensylvania, in favour of Matthew Irvine, deputy commissary general, and charged to the account of Joseph Trumbull, commissary general, for which he is to be accountable.

In consequence of an adjustment made by the commissioners, &c. ||of accounts,|| the auditor general reports,

That there is due to Major Nicola, two months' pay of six companies for the guard of this city, being for May and June, the sum of seven thousand, four hundred and eighty-eight dollars and 60/90 of a dollar.

That there is due to John Byrn, late a soldier in Captain Morgan's company of rifflemen, for a rifle belonging to him which was lost at the attack on Quebec, the sum of 16 60/90 dollars:

That there is due to James Leard, for half ferriage of seventy two men over the Susquehanna, 2 36/90 dollars:

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That there is due to Major Vaughan, Captain Hazard, and others, their expences as officers of the guard to military stores, from Sinnepuxent to Philadelphia, the sum of 228 30/90 dollars:

That there is due to Monsieur Lotbinier, a Canadian chaplain, for his pay and rations, from the 10th March to the 10 June, being three months, at 41 30/90 dollars ||a month,|| the sum of 124 dollars:

That there is due to the commissioners of claims, for a pair of Venetian blinds, they paid for, for the use of their office, the sum of 32 dollars:

That there is due to Susannah M'Nutt, for sundry meals supplied the militia on their march to camp, the sum of 3 45/90 dollars:

That there is due to Seth Duncan, for do. 19 39/90 dollars:

That there is due to Joseph Hutchinson, for do. 2 36/90 dollars.[1]

Ordered, That the said accounts be paid.

AT A BOARD OF WAR 9th *June, A. M., 1777.*

Members present: Mr John Adams, Mr Sherman and Mr Carroll.

The Board taking into their Consideration sundry Papers and Letters referred to them by Congress, came into the following Resolutions, Viz:

Resolved That Gen[l] Washington be directed to inform General Howe, That this Congress most sincerly laments the necessity to which they are driven by the cruel Policy of their Enemies, of entering into any Resolutions which have any appearance of Severity towards those Prisoners of War, who have fallen, or may fall into our hands, but that there are no other means in our power of perswading our Enemies to respect the rights of Humanity. That with this view only, it is their Determined Resolution to carry into Execution the law of Retaliation.

Recommitted

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 219.

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That if ~~the American~~ our Prisoners or any of them now in the power of General Howe, or any other Commander of his Britannic Majesty's Forces, or any other ~~Americans~~ [citizen of any of these United States][1] who may hereafter fall into their hands, shall be sent to the Realm of Great Britain, or any part of the Dominions of the said King of Great Britain, to be there confined in Common Goals, or any other place or places of Confinement, in pursuance of the late Act of Parliament; It is the Resolution of this Congress to treat the Prisoners now in our power and such as may hereafter fall into our hands, in a manner as nearly similar as our circumstances will admit, and to confine in close custody all such of them as may refuse to become Citizens of America, and take the Oath of Allegiance to these United States.

Recommitted

Resolved That in Answer to Gen. Washington's Letter of the 3rd Instant, he be informed that Congress are willing that such of the Inhabitants of the States in the neighbourhood of the British Army as through fear or perswasion have been induced to join the Enemy, and are desirous to return, should be restored to their former priviledges in these States, provided they return within next ensuing, and take an Oath of Fidelity and of abjuration of all allegiance to the King of Great Britain, and that it be referred to the Legislatures of the respective States to determine, to which of their Inhabitants it may be safe and prudent to grant said priviledge, and such as ought to be excluded therefrom.[2]

That a Warrant for sixteen hundred Dollars be drawn by the President in favour of Mr Thomas Butler, public Armourer, the said Thomas Butler to be accountable for the expenditure of this, and of all other Monies he may receive to enable him to conduct the public Armoury; and that he be required to have his Accounts examined by the Board of War, before they are presented for Settlement, at the Treasury.[3]

Ordered to Lie

[1] Words in brackets were inserted by John Adams.

[2] In the margin John Hancock wrote: "Previous Question, and the Resolve not yet Determined."

[3] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 207. It was recommitted, and on the back is written: "The Report of this Morning to Congress, being recommitted, the Board after making sundry Alterations, came into the following Report thereon." The members present were John Adams, Roger Sherman and Samuel Adams. The report, as altered, is printed under June 10, 1777, *post* (page 449).

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The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, JUNE 10, 1777

A letter, of the 6, from Joseph Trumbull, commissary general, was read;

And of this day, from Major General Arnold, were read:[1]

Resolved, That General Arnold be, and he is hereby directed immediately to repair to Trenton, and there conduct himself agreeable to the orders of the commander in chief.

Resolved, That it be earnestly recommended to the president and council of the State of Delaware, to give orders to the militia of that State, to hold themselves in readiness to march at a moment's warning, and to take measures to call forth into actual service 1,500 of the militia as soon as possible; and that they order the said militia to rendezvous at or near Wilmington, or Chester.

A petition from William Fields and Matthias Sappenfield, and another from Thomas Rutherford, and sixteen others, prisoners from North Carolina, were read:[2]

Ordered, That they be referred to the Board of War.

A motion being made, and seconded, that the commissary general, and all other persons entrusted with public money, give bond and security for the faithful performance of their duty, and well and truly to account for the money that shall come into their hands respectively,

Resolved, That the same be referred to a committee of three:

[1] The letter of Joseph Trumbull is in the *Papers of the Continental Congress*, No. 78, XXII, folio 233. That of Arnold is in No. 162, folio 90.

[2] The petition of Rutherford is in the *Papers of the Continental Congress*, No. 42, VI, folio 148.

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The members chosen, Mr. [Elbridge] Gerry, Mr. [Thomas] Burke and Mr. [Henry] Marchant.[1]

Congress resumed the consideration of the report of the committee on the commissary's department, ~~and having gone through the same, so far as brought in by the committee,~~ thereupon:[2]

[1] In the *Papers of the Continental Congress*, No. 29, folio 65, is the following, in the writing of Thomas Burke, and endorsed: "Report respecting the Commissary Department, ———, 1777."

"*Resolved*, That the Treasurer or Deputy Treasurer, the Commissary general of Purchases, the Commissary general of Issues, and every Deputy Commissary general of Issues, The Quarter master general, and every Deputy Quarter master general, the Director general, and D. Directors general, Paymasters and Deputy Paymasters general, Cloathier general, Commissary general of Military Stores,

"Shall each respectively enter into bond with Security to be approved by the Board of Treasury in such sum as the said Board of Treasury shall require. payable to the President of Congress—or successor for the use of the United States, the Condition of which bond shall be as follows,

"If the Said shall well and faithfully discharge the duty of to which he is appointed and well and faithfully account for all sums of public money, wherewith he shall at any time be entrusted in virtue of such appointment, and well and faithfully pay all and every balance or balances which he shall owe to the United States, when thereto required, then the obligation to be void, otherwise to remain in full force.

"And if at any time any of the aforesaid officers shall neglect or refuse to make returns, and account at such times as are or shall be required by the resolutions of the Congress, or upon accounting shall be found indebted to the United States, and shall neglect or refuse to pay such sum or sums of money as he shall owe, into the public treasury, or to such person or persons as the Congress shall authorize to receive the same within days after he shall be required thereto by an attested copy of such Resolution of Congress, as shall be passed for making such requisition he being personally served therewith, or the same being left at his last or usual place of abode, in every such case the penalty of such bond shall be deemed forfeited, and the same or such part thereof as shall be sufficient to indemnify the public shall be recoverable.

"And it is recommended to the Legislatures of the several States to enact Laws for enabling speedy recovery to be had on all such forfeited bonds.

"*Resolved*, That for every other default or neglect of duty by the said officers respectively, their respective bonds may be proceeded on, and such recoveries had for breach of Covenant or obligation as shall be lawfully adjudged a sufficient indemnification—and no such bond shall be deemed discharged after one or more recovery or recoveries unless the whole penalty shall be exhausted."

No record of the day on which this report was made is entered on the Journals. Burke was on a similar committee, appointed March 13, 1778.

NOTE.—[2] The printed journals read: "The committee to whom was re-committed the report on the commissary's department, brought in the same amended, which being read, was agreed to as follows":

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Resolved, I. That for supplying the army of the United States with provisions, one commissary general and ~~three~~ [four] deputy commissaries general of purchases, and one commissary general and three deputy commissaries general of issues, be appointed by Congress.

II. That each of the said commissaries and deputy commissaries be authorized to appoint for himself one clerk.

III. That the deputy commissaries general have authority to appoint as many assistant commissaries to act under them as may from time to time be necessary, and the same to displace at pleasure, making returns thereof to the commissaries general respectively, who shall have full power to limit their numbers, to displace such as they shall think disqualified for the trust, and direct their respective deputy commissaries general to appoint others in their stead: that special care be taken by the several officers empowered as aforesaid, to appoint none but persons of probity, capacity, vigilance, and attachment to the United States, and the cause they are engaged in; and to make returns to the Board of War, the commander in chief, and the commander of the respective departments, of the assistant commissaries by them respectively appointed, their several places of abode, the time of their appointment and dismission, and the post, place, magazine or district to which they are severally assigned; and that the deputy commissaries general of purchases and issues in the same district make similar returns to each other.

IV. That the commissary general of purchases shall superintend the deputy commissaries general of purchases, and assign to each a separate district, who shall constantly reside therein, and not make any purchases beyond the limits thereof; and that every purchaser employed therein shall also have a certain district assigned him by the respective deputy commissary general, in which he shall reside, and beyond the limits of which he shall not be permitted to make any purchases, unless by special order of his superior, directing the quantity and quality of provisions so to be purchased beyond his limits, and informing such purchaser of the prices given by the stationed purchaser in the district to which he may be sent.

V. That the commissary general of purchases shall direct the deputy commissaries general in their respective districts, to inform themselves and assistants, as nearly as may be, of the prices for which the articles, which they are to procure, may be purchased, and that neither they nor any of the said assistants employed under their direction, exceed such prices; and if any deputy commissary general of pur-

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chases shall neglect his duty, or be guilty of any fraud or misconduct in his office, the commissary general may suspend him, and shall immediately certify the same to Congress, with the reasons for such suspension, and appoint a person to act in his stead, with all the powers of a deputy commissary general, until the sense of Congress shall be known thereon.

VI. That the present commissary general, by himself or his deputies, deliver unto the commissary general of issues, or his deputies or assistants, all and every kind of provisions and other public stores in the commissary's department, that now are, or at the time when such delivery shall be made, may be, in any of the forts [posts], places, magazines and store houses belonging to the United States, taking duplicate receipts for the same, one set whereof, together with a general return of all stores so delivered, to be sent to the Board of Treasury, that the commissary general of issues may be charged therewith.

VII. That it shall be the duty of the commissary general of purchases, with the assistance of the deputy commissaries general and assistant commissaries of purchases, to purchase all provisions and other necessaries allowed, or which may hereafter be allowed by Congress to the troops of the United States, and deliver the same to the commissary general of issues, or his deputies or assistants, in such quantities, and at such places or magazines as the commander in chief, or the commander of the respective department shall direct.[1]

VIII. That the commissary general of issues shall direct the respective deputy commissaries general, to station one of their assistants at every fort, post, place or magazine where provisions are or may be stored.

IX. That the commissary general of purchases shall furnish each of the deputy commissaries general and assistants, with a book, in which is to be entered every purchase by them respectively made: and that all the accounts may be kept in the same form, he shall cause the pages of such books to be divided into ten columns, in the first of which shall be entered the year, month and day in which any purchase is made; in the second, the name of the person from whom; in the

[1] To this point the report is in the writing of Roger Sherman. A second, partial copy of the report, in the writing of John Lansing, with the paragraphs numbered upon another plan, begins with folio 23. It will be referred to as the Lansing copy, but only the more important differences will be noted. Both papers are in the *Papers of the Continental Congress*, No. 29, folios 7 and 23.

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third, in what place; in the fourth, the species and quantity of provisions, and if live stock, the number, colour and natural marks; in the fifth, the artificial marks and number; in the sixth, the prices; in the seventh, the amount of the purchase money; in the eighth, ninth and tenth, the weight of the meat, hides and tallow of the live stock as hereafter directed: and the commissary general of issues shall furnish each of the issuing deputy commissaries general and assistants with a similar book, in which shall be entered all provisions received by them from the purchasers respectively, the first column to contain the time of receiving such provision; the second, the name of the purchaser; and in each of the other columns, the entries before directed.

X. That each purchaser shall enter, in distinct ‖different‖ pages of the said book, each species of provisions by him purchased, and, at the end of every month, shall foot and transfer the said entries to a general account, specifying the quantity, amount, and average cost of each article, and shall also, in the course of the next succeeding month, send a copy of such account to the respective deputy commissary generals, who shall thereupon make out a monthly return of all the provisions purchased in his district, specifying the quantity, amount, and average cost of each species, as before directed, ~~and shall transmit the same with copies of~~ together with a copy of each purchaser's account, to the Board of War and commissary general of purchases, within the time limited as aforesaid.

11. And whereas it is necessary that separate and distinct accounts should be kept of every species of provision purchased[1] that as many sheets shall be ruled into Columns as above directed as there are articles to be purchased in one of which all purchases of Flour shall be entered in another all purchases of Salted Meat in distinct Columns. Each of these to be footed at the end of every Month and transfered[2] to one General Account and every purchaser shall also in the Course of the next succeeding Month send a Copy of the General Account to the respective D. Com General of purchases of the Department in which such purchases were

[1]it is resolved that all purchases of flour shall be separately entered by the respective purchasers on one or more pages of such book—*Marginal note by Philip Schuyler.*

[2]That each species of provision shall be entered by the purchaser in distinct pages of sd Book and at the end of every Month shall [he] foot and transfer the same—*Marginal note by Elbridge Gerry.*

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made, and that the Accounts of every Deputy Commissary General of purchases may be kept in the same Form, they are each to open a Book in which is to be entered, under the different Heads of Flour, salted Meat &c the Amount of each Species drawn from every purchasers Account Current with the Amount thereof, the purchasers Name and the averaged price. Each of these to be footed at the End of every Month, and the Average of the Agregate drawn and then transferred to one General account, Copies of each of which shall be sent by the Deputy Commissary General of purchases made up to the first Day of the Month in which such Accounts were directed to be sent by the preceeding Article to the Board of War[1] and one other Copy to the Commissary General of purchases.

That the Commissary General of purchases shall deliver all provisions by him or his Deputies purchased into the Magazine within, or into that nearest to, the District in which the purchases are made, unless otherwise directed by the Commissary General of Issues or his D. Commissary General in any Department and unless it be live Stock, which is always to be sent to such places as the Commissary General of Issues or his D. Commissary General in any Department shall direct.[2]

XIII. That whatever provisions or Stores may be sent to any post place or Magazine by any purchaser shall be accompanied by Duplicate Invoices, taken from the Entries directed to be made in the Books mentioned in the 10th and 12th Articles, one of which together with the provisions or Stores shall be delivered by the stationed Commissary of purchases there to the issuing Commissary for his Use, who on the other shall give his Receipt for so much thereof as he may receive which receipt shall be transmitted by the sd stationed Commissary to the purchaser[3]

XI. That the purchasing commissaries deliver live stock and other provisions required by the commissary, or several deputy commissaries general of issues, at such places as they shall respectively direct

[1] on or before the last day of the month subsequent to that for which the accounts are made up—*Marginal note by Philip Schuyler.*

[2] out of which the said Commissioner shall regularly

Enter into this book, keeping the accounts of each department separately, and making a general return once in every month to Congress specifying the purchases made in each department since the last return—*Marginal note by Philip Schuyler.*

[3] Lansing copy.

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XII. That the deputy commissary general of purchases in each district shall specially appoint one or more assistants to purchase live stock, who shall cause to be branded on the horns of all cattle by them purchased, the number and initial letters of their names respectively; and shall also have power to employ drovers, and a person at each place, to which they may respectively be directed to send cattle, to receive, kill, and deliver the same, as hereafter directed.

XIV. That every Creature purchased for the Use of the Army shall immediately thereafter be branded with the initial Letters of the purchasing Commissary's Name and the first Creature purchased by such Commissary shall be branded on the Horns with the Figure 1, the second with the Figure 2 and so on.[1]

XIII. That each drove of live stock, or quantity of provisions or other stores, that may be sent to any post, place, or magazine, by any purchaser, shall be accompanied with duplicate invoices, taken from the entries directed to be made in the books of the purchasing commissaries, one of which, together with the live stock or other stores, shall be delivered at such post, place, or magazine, to the person appointed to receive live stock, or to the issuing commissaries respectively, who, on the other ‖hand,‖ shall give his receipt for the articles received, to be transmitted to the purchaser by the person delivering the said articles; provided, that, if any live stock, under the care of the drover, shall be wanted at any other post than that to which they were ordered, the purchaser's deputy at such post may detain them, taking a copy of the invoice, as far as it respects the live stock detained, and giving his receipt for the same on the back of the said invoice, specifying their marks and numbers, and the person to whom the residue may be delivered, shall give his receipt therefor on the same invoice, and detain the other for his use as aforesaid.

XIV. That each drove of live stock shall be killed under the direction of the purchaser's deputy receiving the same, who shall weigh and deliver the meat to the commissary of issues of the respective posts, together with duplicates of the invoice left by the drover, entering in the eighth column the weight of the quarters of the several creatures; in the ninth, the weight of the hide; in the tenth, the weight of the ~~rendered~~ tallow; and at the foot of each invoice, the number of heads and tongues; and the commissary of issues shall

[1] Lansing copy.

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endorse his receipt on one of the invoices, and deliver it to the deputy aforesaid, who shall return it to the purchaser as his voucher, and to enable him to fill up the eighth, ninth, and tenth columns of the entries in his book; and the other shall be kept by the issuing commissary for his own use.

7. That the Commissary General of purchases specially appoint Deputy Commisaries in each Department to purchase Live Stock, giving power to the said purchasers so appointed to employ persons at such post as the Commissary or Deputy Commissary General shall direct, to receive and kill the Cattle and to deliver the Meat, Hide, Tallow, Head and Tongues to the Commissary of Issues at such post.[1]

XV. That the commissary general of purchases shall contract, by himself, or the respective deputy commissaries general, with one or more persons in each district, to make or supply a sufficient quantity of vinegar for the use of the army.

XVI. That the deputy commissaries general of purchases take special care to procure full supplies of vegetables, as being essentially necessary to the health of the army; and they are respectively empowered and directed, with the advice of the commander in chief, or commander of the respective district, to hire land therein, and raise such quantities of vegetables as are wanted, and cannot be otherwise procured for the army; and for this purpose, to employ suitable persons to conduct, and labourers to assist in carrying on the said business.

19 And whereas Experience has evinced that potatoes can be preserved in such a Manner as that the Crops of one Year will keep until that of the succeeding Year is fit for Use; the Com: General or the D. Com. Generals in each Department by and with the Advice of the Commander in Chief or Commander of the Department shall therefore fix upon one or more proper places in each Department on which to raise such Quantities of potatoes Turnips and other Vegetables as the Commander in Chief or Commander of a Department may direct, to rent Land therefore and employ persons to superintend and carry on the Works with a sufficient Number of Labourers.[1]

XVII. That the commissary general of purchases shall, from time to time, apply to Congress for all the money wanted in his department,

[1] Lansing copy.

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and shall make the necessary advances to the respective deputy commissaries general, calling them to account as often as he shall judge it necessary; and the deputy commissaries general shall, in like manner, make advances of the money received of the said commissary general to their respective assistants, and call them to account as aforesaid.

XVIII. That the commissary and deputy commissaries general of purchases and issues, shall respectively be accountable for the conduct of the officers of their own appointment, and all the accounts of purchases and issues shall, once in six months, be settled by the respective commissaries general with the proper commissioners of accounts; each account of purchases to be vouched by the several bills and receipts of the venders, specifying the cost, and the receipts of the issuing commissaries, shewing the delivery of all articles therein charged; and each account of issues by the original victualling returns hereafter directed to be made, and receipts for all provisions charged therein as rations, or sent by the respective issuing commissary to any other: and the commissaries general shall produce the monthly returns of the several purchasing and issuing commissaries, to be used by the commissioners in adjusting the respective accounts.

~~10. That [the Commissaries General shall in Complaint to the Comm] for Neglect of Duty or other offence committed in the Army the Commissaries General shall be subject to military Arrest and Tryal by Order of the Commander in cheif, and the several Deputy Commissaries General [respectively] and Assistants by order of the sd Commander in Cheif or any Major General of the Army, and neither of them by order of any other Officer under any pretence whatever and the officers whom the Commissaries or D. Commissaries General shall respectively appoint as herein directed, shall be considered as officers appointed and commissioned by Congress.~~[1]

XIX. That the commissaries general of purchases and issues, and their respective deputies, for neglect of duty, or other offences in their respective offices, shall be subject to military arrest and trial, by order of the commander in chief, or any general officer commanding a division of the army, post, or department, where such neglect of duty or offence may happen; and the respective assistants of the deputy commissaries general of purchases and issues, shall, for the same causes, be liable to military arrest as commissioned officers in the army, by

[1] This was the original form of paragraph 19. The words in brackets were struck out in the draft.

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any general officer, or any officer commanding at a detached post to which such assistants may be assigned.[1]

XX. That the commissary general of issues shall superintend the respective deputy commissaries general, and assign to each a separate district, and have full power to suspend them and appoint others for a time, as already provided [appointed] for the commissary general of purchases.

XXI. That every issuing commissary shall enter, in distinct pages of the book mentioned in the ninth article, each species of provisions or other stores received by him, including the provisions delivered by other issuing commissaries, or the present commissary general, and the same entries shall be made with respect to these, as therein are directed, when provisions are received from the purchasers; excepting that the prices and cost of articles, delivered by the said commissaries, may be omitted.

XXII. That every issuing commissary shall be furnished with a book of issues, in which he shall open a separate account with each regiment, corps, or detachment to which he may issue, or commissary to which he may send or deliver provisions; and each page thereof shall be divided into columns, in the first of which shall be entered the time of delivery; in the second, the name of the officer upon whose return provisions are issued, or by whom sent to any other issuing commissary; in the third, the number of rations, and, in other separate columns, the several quantities of each species of provisions delivered as rations, or sent to the commissaries as aforesaid. And, on the last day of every month, he shall foot the said accounts, and also all the accounts of provisions received and entered in the book mentioned in the preceding article.

XXIII. That every issuing commissary shall take duplicate receipts for each quantity of provisions and stores by him sent to any post, place or magazine, agreeable to the form of the entries directed to be made in the book of issues, one of which he shall deliver to the officer, or person employed to deliver the said provisions or stores; and the

[1] In the manuscript report the latter part of this paragraph read as follows:

"and the several deputy commissaries, and assistants, may be arrested and tryed by order of the commander in chief, or any major general of the army, and by no other officer under any pretence whatever; and the officers whom the commissaries, or deputy commissaries general, shall respectively appoint, as herein directed shall alwayes be considered as officers appointed and commissioned by Congress."

The paragraph as printed in the text is in the writing of Elbridge Gerry.

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issuing commissary at such post, place, or magazine, or at any intermediate post, who may receive such provisions or stores, or any part thereof, shall certify the quantity on the back of the said receipt, which the officer, or person who delivered the provisions, shall return to the commissary that sent them as his voucher: And, in cases of deficiency, the commissary who sent the provisions shall credit the commissary to whom they were directed for the quantity lost, if the same has been placed to his debit, and shall charge twice the amount thereof to the account of the officer or person employed to deliver it, and shall also transmit a copy of the said account to the pay master or deputy pay master general in the district, who shall send to the issuing commissary a receipt for such account, to be produced by him on settlement, and shall also deduct the amount thereof from the pay of the delinquent, and credit the United States therefor: provided, that if any provisions or stores shall be lost by unavoidable accident, and the same is proved by sworn evidences before the commanding officer of the post from or to which such provisions or stores were sent, his certificate, with the proof annexed, shall authorize the commissary to cancel such charge.[1]

19. The D Commissary General of Issues and his Deputies to take Duplicate Receipts of all provisions and Stores of what Kind soever by them forwarded from one post, place or Magazine to another specifying every Specie sent, its Condition; the Time when: the person or persons by whom, delivering at the same Time one of the Receipts to the person taking the provision or Stores in Charge. Upon the Delivery thereof to the Commissary to whom they were directed, or other intermediate Commissary of Issues such Commissary to endorse on the Back of the Receipt a Certificate acknowledging the Receipt, or such part thereof as may be delivered, but if there shall be a Deficiency in any of the Articles, the Commissary who was to have received the same or to whom the residue may be delivered shall mark the Deficiency on the Back of the Receipt; give Credit for the whole of what was sent, and charge the public with the Deficiency and transmit a Monthly Return to the Commissary General of Issues, or Deputy Com. General of the Department; who shall from all the Returns make out one general Account of such Deficiences, if any, and transmit the same to the pay Master General or D pay Master

[1] To this point the writer was Elbridge Gerry.

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General of the Department that he may, and he is hereby required, to charge the same to the Account of the pay Master of the Regiment to which such delinquents respectively may belong who are to deduct the Amount out of the Delinquents pay. Provided always that if any provisions or Stores shall be lost by unavoidable accidents and the same can be proved to be so, by sworn Witnesses before any officer commanding at the post from which provisions or Stores were sent, such officer's Certificate with the proofs annexed shall be a sufficient Voucher to the Commissary to cancel such Charge made against the person or Persons losing the same.[1]

XXIV. That no provisions be issued to any persons but by the written order of the commander in chief, the commander of any department, the quarter master general, any of his deputies or assistants, the commanding officer of a post, describing the persons in whose favour such order shall be given; or upon a return signed by the commanding officer of a corps, or detachment thereof, whether commissioned or non-commissioned, or by the regimental quarter master.

XXV. That when any troops are ordered to quit a post, and the issuing commissary remains at such post, the respective commanding officers of the several regiments or corps shall call on the issuing commissary for a certificate, specifying the day to which they were victualled, inclusively; and, in case detachments of different regiments or corps are made, the commanding officer of such detachments shall procure a certificate from the commissary, in which shall be inserted the days to which the different troops, of which his detachment may be composed, were victualled, and the next, and every subsequent provision return for such detachment shall distinguish the corps out of which it is formed, and the number of each corps, to the end that the commissary may charge each corps with the provision issued to it; and if any commissary, at any other post, shall victual any corps or detachment comprehended in the foregoing description before such certificates are produced,[2] he shall charge the officer commanding the same, with twenty days' provision for the whole number of men under

[1] Lansing copy.

[2] The original report here inserted: "But lest by the inattention of any officer in not procuring the proper certificates, the troops should suffer for want of provisions, and the service be thereby injured, the Commissary shall victual the corps or party as usual."

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his care, and make return thereof to the pay master general or deputy pay master general in the district, who shall make the proper stoppages, and also to the board of treasury, who shall charge him therefor. Provided, That if such certificate be procured and delivered within thirty days after the first drawing of such provisions without certificate, the commissary general shall cancel the charge, keeping the certificate as a voucher for so doing: Provided also, That notwithstanding such certificate may be produced, if it shall appear that the officer commanding any corps or detachment, has drawn more provision than the corps or detachment was entitled to, he shall stand charged the double quantity so over-drawn.

XXVI. That every issuing commissary shall take receipts for the number of rations, and for so much of every species of provisions as he may issue therefor.

XXVII. That every issuing commissary, on the last drawing day preceding the last day of every month, shall victual the troops up to the last day of the month inclusive; and if provisions should be ordered for troops going on detachments, for such time as would run beyond that day, two returns shall be made out, one to the last day of the month inclusive, and one from the first day of the month inclusive to the time ordered.

XXVIII. That every issuing commissary shall number the provision returns, and endorse the same with the date thereof, and the number of men victualled, and put the returns of each detachment or corps in separate files, each to contain the returns of a month for such corps or detachments.

XXIX. That, wherever any capital magazine shall be established, the commander in chief, or commanding officer of the department, shall order store-houses to be built, and a barrack for fifty men, and the same to be enclosed with a stockade.

XXX. That, whenever any of the provisions or stores in any of the magazines become so damaged as to threaten a total loss of all such damaged provisions, the commissary of issues, to whose care such provisions may be committed, shall make return thereof immediately to the deputy commissary general of issues, who is to apply to the commander in chief, or some general officer, to order a court of enquiry, who shall thereupon grant one, and such provisions as may by the court be condemned, shall be sold at public vendue, under the direction of the deputy commissary general of issues, public notice

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being given of such sale, by advertisements at least ten days before the day of sale, unless the court should determine that the same ought to be sold at an earlier day.

XXXI. That every assistant commissary of issues shall, within six days after the last day of every month, make a return to the deputy commissary general of the district, of all provisions and stores in his magazine or store, at the last preceding return; of all provisions by him received in the preceding month; from whom and whence; of what he has forwarded, to whom and to what place; of what he has issued, specifying the regiment and corps, and the number of rations, and quantity of each species of provisions drawn by the same; and of what remains in store.

XXXII. That each deputy commissary general of issues shall, from the monthly returns of the assistant commissaries, make out a general return for the district, specifying what remained in the magazines or stores at the last return; what has been received since; the number of rations and quantity of provisions issued, and what remains in store, distinguishing the several posts, places, magazines, and regiments or corps as aforesaid; one to be sent to the Board of War, one to the commander in chief, one to the commander of the department, one to the commissary general of purchases, and one to the commissary general of issues.

XXXIII. That the commissary general of purchases and commissary general of issues, each in his own department, make a general monthly return to the Board of War, the commander in chief, and the commanding officer of the respective districts, and take special care constantly to provide and furnish each of the officers under him with printed forms of the books, invoices, receipts, and returns, to be used by them respectively, agreeable to these resolves.

XXXIV. That no returns of rations drawn or returned by the several regiments be hereafter made by the issuing commissaries to the commissary general of musters, or by him to the adjutant general, or by the adjutant general to the Board of War, as directed in the regulations of the muster master ‖general‖'s department, passed by Congress the 4th of April last.

XXXV. That the commissaries general and the respective officers under them, apply to the quarter master general, or his respective officers, for waggons, teams, and horses, wanted in the several districts; and if, at any time, it shall be necessary to hire the same, they

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are not to exceed the rates stipulated by Congress, or the quarter master general aforesaid.

XXXVI. That all persons employed to purchase for the United States any articles in the several departments of the commissary general of provisions ‖purchases,‖ quarter master, director, or cloathier general, or the commissary general of military stores, shall previously apply to them, or the principal officers under them respectively, for certificates of the several prices by them allowed for such articles, and shall not, on any pretence whatever, exceed such prices. And it is recommended to the several States to give to their purchasers respectively similar directions.

XXXVII. That the commissary general of purchases from time to time provide sufficient quantities of salt, and deliver it to the commissary general of issues, or the respective officers under him, who are directed to issue to the troops only such quantities, and in such manner, as the commander in chief, or commander of the respective district, shall direct. And the commissary general of issues shall direct the respective deputy commissaries general to employ a suitable number of coopers ‖and packers,‖ who shall salt and pack provisions at the several magazines and stores, and take the proper precautions with respect to all provisions therein deposited.

XXXVIII. And whereas, great confusion has arisen from the manner in which officers and soldiers have been paid for rations and parts of rations allowed to, but not drawn by, them respectively,

Resolved, That the parts of a ration be estimated as follows, viz: for the daily allowance of beef, pork, or fish, 4-90ths of a dollar; of bread or flower, 2-90ths; of peas or beans, 1-90th; of milk, 1-90th; of beer, 1-90th; of rice, 1/180th; and of soap, 1/180th; making, ‖in the whole,‖ 10-90ths of a dollar for each ration: and that, for the future, the quarter master, or other person drawing provision for any regiment, corps, or detachment, shall, on the last day of every month, make out an abstract of the number of retained rations due to each officer respectively, and also the number of each part of a ration due to such regiment, corps, or detachment, and deliver the same to the respective issuing commissary, who shall compare it with his books, and finding it right, shall certify thereon that the several charges in the abstract are just, and that such a sum as he shall find to be due, should be paid to the respective pay master of the regiment, corps, or detachment, who shall annex the said abstract to the pay roll, that the pay master,

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or deputy pay master general of the district, may, and he is hereby required to pay, such ration abstract to the regimental pay master, who is directed to pay the respective officers and soldiers, and take their receipts. And when any regiment, corps, or detachment, or issuing commissary is ordered to leave a post before the end of the month, the ration abstracts shall be made up to the day of his or their leaving the post, and certified by the commissary as aforesaid.[1]

Whereas great Confusion hath arisen from the manner in which officers rations are drawn or paid for to prevent which in future Every provision return for any Corps or detachment shall Include the officers for as many days as the return is made out for and at the rate of one Ration per day and Every such return shall specify the Number of officers, and their rank as well as that of the Non Com: Officers and privates for which provision is to be drawn, and In order that the Officers may be regularly paid for the residue of the Rations allowed them, The paymaster of each regiment or Corps shall make a monthly Abstract of the Number of rations due to the Officers of the Corps they severally belong to and Charge the same in the Accounts Current with the paymaster General or deputy Paymaster General of the several departments who are hereby required to allow the same.[2]

Whereas it frequently happens that the Troops cannot be supplied with every Specie of provisions allowed by Congress and a Difference in Opinion of what is a real Equivalent has arisen, to avoid which in future, that 2 lb of Beef shall be equal to one Ration of all species, or 1 1/2 lb of pork or 3 1/2 lb. Flour or 6 1/2 pints of peas or Beans or 7 Pints of Milk or 10 pints of Indian Meal or 5 pints of Rice or 1 1/4 pints of Molasses, or 1 1/2 lb hard Soap or 1 1/2 lb. soft Soap.[3]

XXXIX. That the commissary of issues at every post where cattle are killed for the use of the army, appoint a careful person to take charge of the hides and tallow, to see that the former are properly dried, and that the latter is properly rendered, and that both are disposed of as the commissary-general of issues, by order of Congress, shall direct.

XL. That the commissary and deputy commissaries general of purchases in each department, and every purchaser employed under them,

[1] The paragraphs XXXI–XXXVIII are in the writing of Elbridge Gerry.

[2] Lansing copy, but in the writing of Philip Schuyler.

[3] Lansing copy.

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shall take the oath of fidelity to the United States, and the following oath or affirmation, viz.

I ———, do solemnly and sincerely swear or affirm in the presence of Almighty God, that I will not collude with any person or persons whatever to enhance the price of provisions, or any article of commerce which I shall at any time hereafter be directed to purchase for the use of the United States; and that I will endeavor, by every honest means in my power, to procure the articles which I may be directed to purchase at the most reasonable rates; and that I will not charge the public with any advance on any purchases by me to be made, and that I will, in all things, conduct myself as becometh a faithful servant of the public.

XLI. That the commissary and the deputy commissary general of issues in each department, and every issuing commissary employed under them, shall take the said oath of fidelity, and the following oath or affirmation, viz.

I do swear or affirm that I will faithfully receive, take the care of, and issue the provisions and other stores committed to my trust, and keep regular accounts and make regular returns, agreeable to the resolutions of Congress, and oftener if thereunto required by any superior officer having right to order returns; and that I will, in all things, honestly demean myself as a faithful servant of the public.

Resolved, That the committee who brought in the said report, consider and report to morrow morning, what compensation ought to be made to the several officers in the commissary's department, for their services:

That to morrow be assigned for appointing the officers in the commissary's department.

The Board of Treasury reported,

That a warrant should issue on Joseph Borden, Esqr commissioner of the loan office, for the state of New Jersey, in favour of John Gibson, Esqr auditor general, for the sum of sixty-nine thousand one hundred dollars, the said J. Gibson to be accountable.[1]

Ordered, That such an order be drawn.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 223.

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In consequence of an adjustment of the commissioners &c. ||of accounts,|| the auditor general reports,

That there is due to Captain Garland, and other officers, for their expences, being a second division as officers of a guard with military stores from Sinepuxent to Philadelphia, the sum of 120 51/90 dollars:

That there is due to Lieutenant Colonel Eleazer Oswald, for his pay from the 1st September, 1775, to the 1st January, 1777; as also for 2 months' extra pay, for cloathing allowed in Canada, is together 18 months, at 40 dollars per month, 720 dollars, ||and for|| 1,825 rations, at 10-90ths of a dollar per ration, 202 70/90 dollars, the whole amounting to 922 70/90 dollars.[1]

Ordered, That the said accounts be paid.

Resolved, That an order be drawn on John Gibson, Esqr for 69,000 dollars, in favour of the delegates of New Jersey, for the use of their State; the said State to be accountable.

Resolved, That an order for 5,000 dollars be drawn on John Gibson, Esqr in favour of William Henderson, pay master of Colonel Moylan's regiment of light horse, for the use of the said regiment; he to be accountable.

The Board of War brought in a report, which was taken into consideration: Whereupon,

Resolved, That General Washington be directed to inform General Howe, that this Congress most sincerely laments the necessity to which they are driven by the cruel policy of their enemies, of entering into any resolutions which have any appearance of severity towards those prisoners of war who have fallen or may fall into our hands; but, that there are no other means in our power of inducing our enemies to respect the rights of

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 221.

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humanity; that with this view only, it is their determined resolution to carry into execution the law of retaliation; that if any persons belonging to, or employed in, the service of the United States, or any of them who now are, or hereafter may be, prisoners to Lord or General Howe, or any other commander of his Britannic Majesty's forces by sea or land, shall be sent to the realm of Great Britain, or any part of the dominions of the said king of Great Britain, to be there confined in common gaols, or any other place or places of confinement in pursuance of any act or acts of the British parliament, or any other pretence whatever; it is the resolution of this Congress, to treat the prisoners now in our power, and such as may hereafter fall into our hands, in a manner as nearly similar as our circumstances will admit.

Resolved, That an extract of Governor Caswell's letter of the 20th of April, be transmitted to General Washington, with a recommendation, that provided the General has not already appointed commanding officers to compleat the sixteen additional batallions, Colonel Abraham Sheppard, of North Carolina, be appointed to the command of one of the said additional batallions.

That the Letter of Gen. Washington to Major Apollos Morris of the 6th Instant, be delivered him, and That the Major be permitted to go to Europe, by the first Conveyance to France, or by the way of the French West Indies, on his being laid under the restrictions of a Parole, not to give any Intelligence directly or indirectly to the Enemies of the United States, or do or say any thing in opposition to, or in prejudice of the Measures or proceedings of the Congress or any of the Legislative bodies presiding in these States, and in no shape or in any manner whatever to make known any discoveries or observations he may have made during his Residence amongst us, that may in any wise be prejudicial to the Interest and Welfare of these States.

To Lie

That General Washington be informed, that Congress by that clause of the resolution of the 30 of May last,

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"the rank of each class of the said officers to be settled by the date of their commissions from the king of France," intended only their relative rank among one another; but that their commissions in the American army, be dated by General Washington, on the day when they shall be filled.

That General Washington be directed to propose an Exchange of Lt. Colonel Allan McDonnald ~~for Lt. Colonel Nicholas Lutz, who is now at Reading on Parole, also~~ and Lt. Alexander McDonald for ~~Lt. Samuel Cheekley~~ [such officers of equal Rank as are entitled to a priority of Exchange.][1]

To Ho

The committee appointed to confer with the board of war of the State of Pensylvania, &c., brought in a report:

Ordered, That it be taken into consideration to morrow morning.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, JUNE 11, 1777

Congress took into consideration the report of the committee appointed to confer with the board of war of the State of Pensylvania, and to employ persons to view the works erected for the defence of the River Delaware at or near Billingsport, Whereupon,

Resolved, That Governor Livingston be requested forthwith to order out five hundred of the militia of the State of New Jersey, to assist in completing the works now erecting at Billingsport, for the defence of the river Dela-

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 213. The last two paragraphs were prepared by the Board on June 10, when John Adams, Samuel Adams, Roger Sherman, Charles Carroll, and George Clymer were present. The words in brackets were added by John Hancock.

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ware; it being of the utmost consequence that the fortifications at that place should be completed without delay.

Resolved, That the report of the committee ||appointed by the Pensylvania board of war, and the committee of Congress,|| viewing the works erected for the defence of the river Delaware, together with the resolution for calling out 500 of the New Jersey militia, be communicated to the president and supreme executive council of the State of Pensylvania; and that it be earnestly recommended to them, in conjunction with General Mifflin and Monsieur du Coudray, to carry into execution the most effectual measures for defending the river Delaware.

Resolved, That the continental Navy Board, or board of assistants to the Marine Committee, be empowered to direct the commanders of the several continental ships, gallies, and other armed vessels, now in the Delaware, to co-operate with the naval force of Pensylvania in defending the several passes thereof, should the enemy make any attempts thereon.

Resolved, That the commanders of the said ships, gallies, and armed vessels, obey the orders and instructions of the said Board; and that it be recommended to them to exert their utmost abilities in opposing the enemy's ships that may attempt passing up the said river.

Resolved, That 20,000 dollars be advanced to Benjamin Flower, commissary general of military stores, for the public service; he to be accountable:[1]

Resolved, That 5,000 dollars be advanced to David Hall, colonel of the Delaware batallion, for the use of his batallion; he to be accountable.

Resolved, That the commissary general of purchases shall keep his office in the place where Congress shall sit, and that he, or his clerk, constantly attend therein.

[1] A letter from Flower, June 8, asking for twenty thousand dollars, is in the *Papers of the Continental Congress*, No. 78, IX, folio 91.

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Resolved, That 1,000 dollars be advanced to John Wilkins, one of the four captains nominated by General Armstrong, in pursuance of authority to him given by General Washington, for the use of his company; he to be accountable.

In consequence of an adjustment by the commissioners ||of accounts||, the auditor general reports,

That there is due to Hugh Con, to be paid to John Benezet, Esqr for boarding and nursing two sick soldiers, the sum of 22 dollars.

That there is due to Jacob Miller, for 118 meals supplied the troops on their march, the sum of 15 66/90 dollars.[1]

Ordered, That the said accounts be paid.

The Committee of the Treasury, and the committee appointed to devise ways and means for defraying the expence of the current year, brought in a report.

The Committee on the Treasury beg leave to report that on a Conference, according to order, with the Committee appointed to devise ways and means for defraying the Expences of the Current Year, the following Plan was agreed to and directed to be presented for the Consideration of Congress:[2]

Whereas, by the oppressive Councils and hostile operations of the British King and Parliament, the United States of America, at a time when they were totally unprovided with Fleets or Armies, Military Stores or Finances, have been forced into a War solely for the Defence of their Natural and Political Liberties, a War on their parts, therefore the most just and righteous!

And, Whereas, notwithstanding all the disadvantages of their unprepared situation, the United States thro' the gracious protection of Divine Providence, have not only been enabled to oppose the progress, and set bounds to the Devastations, of their powerful and implacable Enemies, and to maintain their own righteous cause with Spirit, Vigour and firmness, but have now the fairest Prospect of driving away the Invaders of their Country, and Compelling, even those to acknowledge its freedom and Independance who aim'd to establish for its domination a System of Despotism and Tyranny.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 225.

[2] This preamble is in the writing of James Duane.

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And, Whereas, to secure the great and inestimable Blessings, which are the objects of our present struggle, no means ought to be neglected which are Consistant with Honour Justice and good Policy.

And, Whereas, it is the Universal Practice of Nations while they are engaged in the extraordinary exertions and expensive operations incident to War, to supply their Exigencies by borrowing such sums of Money as they may stand in need of, from friendly Nations which, enjoying the Blessings of Peace and tranquility, have the means of contributing to their Assistance.

And, Whereas, the American Commissioners at the Court of France, have been directed by Congress to Negotiate a Loan in Europe on the Credit of the United States, the Success of which cannot reasonably be doubted; not only from the favourable disposition of most of the States in Europe towards these States; but more especially because the said Commissioners, on their own Credit, and without any authority to pledge the faith of Congress for repayment, have already actually obtained the Loan of a very considerable sum of Money for the use of the United States.

And, Whereas, Congress are determined to establish the Credit and Currency of the Bills emitted by their Authority, and on the Faith of the United States, on such a Basis as shall effectually Baffle and defeat the Wicked Arts to injure it which have been practiced by our open and secret Enemies, with unremitted Assiduity. And with this View to put it in the Power of Individuals to exchange the Continental Paper Money now in their Possession, for Gold and Silver in Europe at the Value stamped on such Paper Money agreeable to it's original Emission.

For Accomplishing, therefore, all the Valuable Purposes before enumerated,

Resolved, That Bills of Exchange to the amount of ~~Five~~ Millions of Spanish or Mexican silver Dollars be drawn on the American Commisssoners at the Court of France, by the President of this Congress, in favour of the several Continental Loan Officers, That is, to each of them, the proportion of the above sum herein after alotted.

That the form of the said Bills be as follows:

To The Honorable

In Congress, Philadelphia,

For Spanish or Mexican Silver Dollars.

Ninety days after sight of this my first Bill, second, third, fourth nor fifth of same tenor number and date, paid, pay unto or order Spanish or Mexican Silver Dollars, or the Value thereof in

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other Specie, Value here received, for the use of the United States of America, which stand Bound to discharge this Bill agreeable to Resolutions of Congress passed the Day of 1777; in Consequence of which it is drawn with this Express Condition, That if not paid in Ninety days, after presentation for acceptance, an Interest of five per Cent per Ann: shall be paid Annually thereon in Paris from the day of presentation for payment. until redeemed by a full discharge of Principal and Interest.

By order of Congress,

President.

That there be five Bills to each Sett.

That the Treasury Board do procure the same to be forthwith engraved on a Copper Plate with a suitable Margin for Indenting and such other devices as they may judge best to guard against Forgery, the said Plate to be kept by the Board under several Locks, (except when in use) and the President to keep one Key, the Members of the Board the rest.

That said Board, number and fill up all the blanks in said Bills, none of them to be for a less sum than 500 Dollars.

That the said Board deliver the Bills so numbered and filled to the President of Congress for signing, taking his receipt for what they deliver.

That the President sign the same with all convenient dispatch and return them signed to the Treasury Board, taking the Receipt of the Auditor General for the same, expressing therein the Number of Setts, the Numbers they bear, the sums drawn for, the dates and Persons payable to, such receipts to be kept by the President amongst the Public Papers.

That the Treasury Board Transmit of said Bills to the Continental Loan Officer in New Hampshire the amount of Dollars

To the Loan Officer of Massachusetts Bay
To the Loan Officer of Rhode Island
To the Loan Officer of Connecticut
To the Loan Officer of New York
To the Loan Officer of New Jersey
To the Loan Officer of Pennsylvania
To the Loan Officer of Delaware
To the Loan Officer of Maryland
To the Loan Officer of Virginia
To the Loan Officer of North Carolina
To the Loan Officer of South Carolina
To the Loan Officer of Georgia

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That the Treasury Board keep a perfect Record of all the Bills so transmitted and require Receipts from each Loan Officer for what he receives charging him in the Treasury Books for the same.

That each of the Continental Loan Officers shall return to the Treasury Board a Receipt for the Bills of Exchange he receives wherein shall be specifyed the Numbers, dates, and sums, obliging himself to redeliver the said Bills if demanded or any part thereof that may remain undisposed of, and to account for the balance in Continental Dollars, Dollar for Dollar.

That the several Continental Loan Officers endorse and deliver the said Bills of Exchange to any person or Persons that shall require them in lieu of Continental Dollars, Dollar for Dollar, keeping a fair account of the Bills they deliver, wherein shall be specifyed the Number, Sum, date of each Bill, the Persons Name it is endorsed to, and the sum received for it, duplicates of which accounts shall be transmitted to the Treasury Board every three Months or oftener if required.

That the Money received by the Loan Officers for Bills of Exchange be subject to the same Drafts and Regulations as that borrowed on Continental Loan Office Certificates.

That such Loan Officer be allowed a Commission of 1/16th per Cent for receiving and paying the amount of the Bills he Negotiates, and no more.

That the American Commissioners at the Court of France or any one on behalf of the rest, shall accept upon presentation all the Bills drawn on them by the President agreeable to Resolves of Congress specifying in the acceptance, the place where payment of said Bills or the Interest that may arise thereon is to be made, unless they shall procure some responsible Bank or Banker or other suitable Person or Persons to come under such acceptance, and in that case, they are to direct all such Bills to the place or Person where such acceptance is to be had.

That the said Commissioners or other Persons procured by them for this purpose shall pay off and discharge the said Bills as fast as they fall due if they have in hand sufficient Funds. That they keep fair records of the Bills they accept specifying the Numbers, dates, Sums, date of acceptance and when due, in order that they may be paid off in course.

That said Commissioners or other Persons procured by them for this purpose, if not possessed of sufficient Funds in due time to dis-

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charge said Bills as they shall fall due, shall punctually pay Interest annually in Paris at five per Cent per Ann: from the time such Bill falls due untill it is discharged, and when the Funds in hand enable the payment of Bills that have borne Interest, the said Commissioners or other Persons shall advertize in the Public News Papers the Numbers of such Bills as they want brought in for Payment, assigning a reasonable time when Interest shall cease if not then brought in.

That said Commissioners or other Persons appointed to pay the said Bills keep fair and regular accounts with the Dates of their Receipts and payments on account of the United States, transmitting several Copies thereof to the President of Congress annually, and that they cut into Quarters all the Bills they shall pay, sending three quarters of every Bill by seperate Conveyances with said accounts and keep the other Quarter themselves.

That the American Commissioners at the different Courts of Europe use their utmost endeavours to establish the Credit of these Bills at all the Banks and with all the Bankers in Europe, so that the same may be discounted for the emolument of the Possessors, should the American Funds not be at hand to discharge them as they fall due, and to the end that these Bills may obtain such Credit.

Resolved, That the Faith, Honor and Property of the United States of New Hampshire, &c. Be and they are hereby pledged to [such Princes, nations, States, Bodies corporate, Companies and Individuals as shall in pursuance of these Resolutions, respectively become Creditors of the said united States][1] for payment and discharge of all the Bills of Exchange now ordered to be drawn by the President of Congress on the American Commissioners at the Court of France together with all such Interest as may arise or become due thereon, agreeable to the Tenor of said Bills, the Interest to be paid Annually as it falls due and the Principal as Fast as funds can be Lodged or borrowed for that purpose.

Resolved, That Congress will direct Exports of American produce to suitable Markets with orders for constant remittance of the Neat proceeds to the Commissioners or other Persons appointed in Paris for this purpose, to enable them to discharge punctually the Interest that may become due on these Bills or on the Loans negotiated to pay them, and also to discharge the principal of said Bills or Loans as fast as can be effected.[2]

[1] The words in brackets were added by James Duane.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 63.

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The Board of Treasury also brought in a report.

The Committee on the Ways and Means of procuring Salt, brought in a report.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, JUNE 12, 1777

Resolved, That 1,000 dollars be advanced to Lieutenant Colonel John Neville, for the use of the 12 Virginia regiment, ~~and charged to Robert Wood,~~ he to be accountable.

The Board of Treasury beg Leave to report,

That the pay of the paymaster General be increased to Dollars p^r Month, to be computed from the first Day of January last, that he be allowed an additional Clerk, and have the rank of Colonel.

That the pay of the several Deputy paymasters to be appointed by the paymaster, or Deputy paymasters General agreeable to a Resolve of Congress of the Day of last, be Dollars p^r Month, and that the said paymaster and Deputy paymasters General be respectively directed to take Bonds of such Deputies for the faithful performance of their Office, in such penalties as the Commander in chief or Commander of the Department shall direct.[1]

Mr. [Jonathan Dickinson] Sergeant laid before Congress a letter from Gunning Bedford, dated City Tavern, Wednesday night, half ||after|| 8 o'clock, ~~challenging him to meet him at the Center House armed with a pair of pistols~~ containing a challenge for words spoken by Mr. Sergeant in the course of debate in Congress, together with his answer, and Mr. Bedford's reply, which were read:[2]

[1] This report, in the writing of Elbridge Gerry, is in the *Papers of the Continental Congress*, No. 136, I, folio 227. It is indorsed as made June 12, 1777.

[2] These papers are in the *Papers of the Continental Congress*, No. 78, II, folios 193–199.

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Sundry resolutions thereon being moved seconded, and debated, the decision thereof was put off, by the delegate of North Carolina, in behalf of the said State.

Resolved, That the Conduct of Gunning Bedford in sending a Challenge to Jonathan D. Sergeant Esqr. a Member of this House, for Words spoken in this House in the Discharge of his Duty, is highly reprehensible, and subversive of that Freedom of Speech which is Essential to the Constitution, and Authority of this House.

Resolved, That the Letter of the said Gunning Bedford to Jonathan D. Sergeant Esqr. of ———, contains false, and scandalous Imputations against this House, unbecoming the Character of a Person who would wish to be considered as a Friend to the Liberties of America.

Resolved, That Gunning Bedford Esqr., be and he is hereby renderd incapable of Serving the United States in any Capacity whatsoever unless he shall make an adequate Reparation for the Insult by him offered to the Authority of this House within the Space of Forty Eight Hours.

Resolved, That the Letters of Gunning Bedford Esqr., to Jonathan D. Sergeant, together with a Copy of these Resolutions be transmitted to the President and Supreme Executive Council of the State of Pensylvania, in order that they take such farther Measures with the said Gunning Bedford, as they shall deem expedient.[1]

Resolved, That the Freedom of Speech and Debate in Congress ought not to be impeached or questioned in any Court or Place, out of Congress.

Resolved, That the said Letters from Gunning Bedford Esqr. to M^r. Sergeant, a Member of this Congress, from the State of New Jersey, is a most daring Contempt of the Authority of this House and Violation of the Priviledge of the said Member.

Resolved, the said Member, in laying the said Letters before Congress, did what his Duty to this House and the State he represents required of him.

Resolved, That it is the Right and the Duty of this Congress, to vindicate its own Authority from Contempts, and the Priviledges of all its Members.

[1] This motion, in the writing of William Duer, is in the *Papers of the Continental Congress*, No. 36, IV, folio 187.

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Resolved, that the said Gunning Bedford Esqr. be taken into Custody of the Door keeper of this Congress, and committed to the Prison in this City, for his Contempt and Breach of Priviledge aforesaid, untill the further order of Congress.[1]

Neg[atived].

The several matters to this day referred, being postponed.[2]

Adjourned to 10 o'Clock to Morrow.

FRIDAY, JUNE 13, 1777

A letter, of this day, from General Arnold;

One, of the same date, from Colonel G. Morgan, with sundry papers enclosed, were read:[3]

Ordered, That the letter from Colonel Morgan, with the papers enclosed, be referred to the standing Committee on Indian Affairs.

Resolved, That an order for 100,000 dollars be drawn on Thomas Smith, Esqr. commissioner of the loan office for the State of Pensylvania, in favour of General Mifflin, quarter master general; for which he is to be accountable.

Congress resumed the consideration of the letters laid before them by the delegate from New Jersey: Whereupon,

Resolved, That Congress have, and always had, authority to protect their members from insult for any thing by them said or done in Congress, in the exercise of their duty, which is a privilege essential to the freedom of debate, and to the faithful discharge of the great trust reposed in them by their constituents.

[1] This motion, in the writing of John Adams, is in the *Papers of the Continental Congress*, No. 36, IV, folio 189.

[2] In the *Papers of the Continental Congress*, No. 68, folio 263, is a letter from William Livingston, June 11, read on the 12th. It is endorsed as referred to the Board of War.

[3] The letter of Arnold is in the *Papers of the Continental Congress*, No. 162, folio 92.

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Resolved, That Mr. Gunning Bedford be served with a copy of the said letters, and that he be summoned to attend Congress to morrow morning at 11 o'Clock to answer for his conduct.[1]

Resolved, That two thousand six hundred dollars be advanced to Major General Arnold, on account.

In consequence of an adjustment by the commissioners &c ||of accounts,|| the auditor general reports,

That there is due to Abraham Berlin, chairman of the committee of Northampton county, for the amount of his account of sundry supplies to the continental troops and militia, on their way to, and from head quarters, in Jersey, the sum of 518 25/90 dollars; for the amount of his account of sundries supplied the Indians, by order of the commissioners, at the late conference held at Easton, the sum of 1,410 48/90 dollars; for an allowance made him for his trouble, expences, and advancing the above sum, 96 39/90 dollars, amounting in the whole, to 2,025 22/90 dollars:

That there is due to John Arnell, late a soldier, for a blanket, his property, lost in the engagement at Trenton, and to be paid to Captain M'Dowell, the sum of 6 60/90 dollars:[2]

Ordered, That the said accounts be paid.

Congress took into consideration the report of the Committee on the Ways and Means of procuring Salt: Whereupon,

Resolved, That it be recommended to the several States to offer such liberal encouragement to persons importing salt for the use of the said States, as they shall judge will be effectual:

[1] The original motion, in the writing of Thomas Heyward, is in the *Papers of the Continental Congress*, No. 36, IV, folio 191.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 231.

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That it be recommended to each State, to employ one or more vessels for the importation of salt into their respective States, for their own more immediate benefit, and at the public charge of the said State:

That the agents for the United States in Europe and the West Indies, be directed and enabled by the Secret Committee, to effect the importation of salt into these States, on account of the United States, by all vessels bound to America, subject to such regulations and restrictions as the Secret Committee may direct:

That it be an instruction to all masters of vessels taking on board cargoes for America, on account of the United States, if possible, to ballast the vessels with salt, unless otherwise specially ordered:

~~That one or more persons be imployed in each State to import such quantity of salt into the said State as the secret committee may direct.~~

That it be recommended to the several States to erect and encourage, in the most liberal and effectual manner, proper works for the making of salt.[1]

A deposition of Samson Lutes, and one of Thomas Jordan, were read:

Ordered, That they be referred to the Standing Committee of Indian Affairs.

Mr. [William] Paca laid before Congress a letter from Colonel Hall, of the Maryland forces, dated Rocky Hill, June 11, which was read:

Ordered, That it be referred to the Board of War.

The Board of Treasury reported,

That, by the terms of the treaty held at Johnstown, the 18 January, 1776, between Major General Schuyler, in behalf of the United States, and Sir John Johnson, and the Scotch inhabitants of Tryon county, Archibald

[1] This report, in the writing of Jonathan Bayard Smith, is in the *Papers of the Continental Congress*, No. 28, folio 171.

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M'Donald, Allan M'Donald, Alexander M'Donald, Reynold M'Donald and Allan M'Donald, Junr who surrendered themselves prisoners of war, were encouraged to expect to be supported by the United States, in the rank of gentlemen, during their confinement; and the ordinary allowance to prisoners, of two dollars per week, being incompetent for that purpose, that there be allowed to the said prisoners, respectively after the rate of 3 69/90 dollars per week, for their subsistence from the time of their confinement; and the farther sum of 73⅓ dollars for necessary expences incurred, by them, in their attendance upon Congress, by leave of General Schuyler, to solicit a further allowance, the difference of subsistence and expences both amounting to the sum of 678 60/90 dollars:

That they have taken into consideration the memorial of Robert Erwin, waggon master, referred to them by Congress, and are of opinion, that his account for pay, clerks' wages, &c. &c. from the 12 July, 1775, to the 19 May, 1777, is just and reasonable, and that a warrant should issue in his favour for the sum of 1,350 dollars, the amount of his account.[1]

Resolved, That Congress agree to the said report.

The several matters &c ||to this day referred, being postponed,||

Adjourned &c ||to ten o'clock to morrow.||

SATURDAY, JUNE 14, 1777

Resolved, That an order be drawn on the commissioner of the loan office for the State of Rhode Island, in favour of Mr. John Murray, assignee of David Flowers, for five thousand dollars, and charged to the account of Colonel

[1] This report, dated June 12, is in the *Papers of the Continental Congress*, No. 136, I, folio 229.

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William Kennon, the same being in full of three bills, No. 5, 7, 12, drawn by him, agreeable to letters of advice from J[ohn] Rutledge, president of South Carolina, dated Charleston, 14 April, 1777:[1] and

That another order for fourteen thousand dollars be drawn on the said commissioner, in favour of the said J. Murray, and charged to the account of Joseph Trumbull, Esq[r] commissary general, the same being in full of his draught in favour of the said J. Murray, dated Middlebrook, 9 June, 1777, agreeable to his letter of advice of the said date.

A letter, of the 20 May, from Amos Throop, at Providence, was read:

Ordered, That it be referred to the Marine Committee.

Resolved, That 300 dollars be advanced to Captain John Steel; 450 dollars to Captain Matthew Irwin; and 500 dollars to Captain Samuel Kearsley, for the use of their respective independent companies; they respectively to be accountable.

Resolved, That the Marine Committee be empowered to give such directions respecting the continental ships of war in the river Delaware, as they think proper, in case the enemy succeed in their attempts on the said river.

Resolved, That the flag of the ||thirteen|| United States be thirteen stripes, alternate red and white: that the union be thirteen stars, white in a blue field, representing a new constellation.

The council of the State of Massachusetts bay having represented by letter to the president of Congress, that Captain John Roach, some time since appointed to command the continental ship of war the *Ranger*, is a person of doubtful character, and ought not to be entrusted with such a command; therefore,

[1] This letter is in the *Papers of the Continental Congress*, No. 72, folio 353.

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Resolved, That Captain Roach be suspended, until the Navy Board for the eastern department shall have enquired fully into his character, and report thereon to the Marine Committee.

Resolved, That Captain John Paul Jones be appointed to command the said ship *Ranger*.

Resolved, That William Whipple, Esqr member of Congress, and of the Marine Committee; John Langdon, Esqr continental agent; and the said Captain John Paul Jones, be authorized to appoint the lieutenant, and other commissioned and warrant officers necessary for the said ship; and that blank commissions and warrants be sent them, to be filled with the names of the persons they appoint, returns whereof to be made to the Navy Board in the eastern department:

Whereas, the State of New York, long the seat of the present unprovoked war, and a principal object of the vengeance of our implacable enemies, hath been, among other calamities, for a considerable time, deprived of her seaports, and of all the advantages and supplies of European and West India commodities, which other States derive from commerce; and it being represented that the inhabitants of the said State are more immediately distressed for want of salt, which, though a necessary article of life, they have no prospect of procuring without the interposition of Congress; and it being the duty of Congress, as well as of the respective United States, to alleviate, as far as may be in their power, the distresses brought down upon any branch of the confederacy, on account of its vigorous opposition to the common enemy, and its virtuous struggles in the great and glorious cause in which all are equally engaged; and the inhabitants of the State of New York having persevered, amidst the

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severest trials and losses, with vigour and fortitude in the defence of the liberties of America;

Resolved, therefore, That it be recommended to the executive powers or legislatures of the respective States, to encourage and facilitate the supplying the inhabitants of New York, while they shall continue to be deprived of the benefit of importation, with salt and other European and West India commodities of which they may stand in need.

Resolved, That the Secret Committee be directed to sell to the council of safety, or delegates of the State of New York, a cargo of about 2,000 bushels of salt, imported by Congress, and now in store at Plymouth, in the Massachusetts bay: and that the commissary general be directed, if it can be done without prejudice to the public interest, to exchange for the said cargo of salt, an equal quantity nearer to the State of New York, that the distress of its inhabitants in that respect may be more immediately relieved.

In obedience to the summons with which Mr. Gunning Bedford was served, he attended, and being called in, acknowledged that the copies of the letters with which he was served, were true copies of the letters he wrote to, and received from, Mr. Sergeant; and having spoken in justification of his conduct, he was ordered to withdraw. After debate,

Resolved, That Mr. Gunning Bedford has been guilty of a high breach of the privileges of this house, in sending a challenge to one of the members of this house, for words spoken by him in this house, in the course of debate:

Ordered, That Mr. G. Bedford immediately attend at the bar of this house, and that the president inform him, that it is expected he will ask pardon of the house, and of the member challenged.

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Mr. Bedford being called in, the resolution of Congress was read to him; and having asked pardon of the house and of the member,

Ordered, That he be dismissed.

Resolved, That Major General Arnold be authorized to take upon him the command of all the militia now at Bristol, and on every other part of the river to the eastward of Philadelphia, which have been called forth into service by a requisition of the twenty-fourth day of April last; and that he be authorized to dispose of himself, and the troops under his command, in such a manner as he shall deem best adapted to promote the public service.

Ordered, That a copy of this resolution be sent to the president and supreme executive council of the State of Pensylvania for their concurrence.

Resolved, That 1,600 dollars be advanced to Jeremiah Butler, armourer, for the public service; he to be accountable.

The Committee of Appeals, to whom was referred the petition from Jacob Green, and others, brought in a report; Whereupon,

Resolved, That the prayer of the petition be granted, and a new hearing awarded on the appeal brought against the judgment of the court of admiralty in the libel "Job Pierce against the brig *Phœnix*," unless the appellants can shew that notice was duly given of their appeal: that, for this end, the petitioner serve the appellant with a copy of this resolve, and with notice of the time when he shall make further application to the committee appointed by Congress to hear and determine appeals, for a new day to be assigned for the said hearing.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

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MONDAY, JUNE 16, 1777

A letter, of the 13, 14, and 15, from General Washington, at Middlebrook, with copies of letters that passed between him and Lord Cornwallis and General Howe;

One, of the 8 and 9, from General Schuyler, at Albany, with sundry papers enclosed;

And a letter and memorial from Apollos Morris, were read:[1]

Ordered, That the letters of General Washington, and Lord Cornwallis and General Howe, be published:

That the letters from General Washington, and General Schuyler, with the papers enclosed, be referred to the Board of War:

That the letter and memorial from A. Morris, be referred to a committee of three, who are directed to take into consideration the letters from General Washington, so far as they relate to the said A. Morris.

The members chosen, Mr. R[obert] Morris, Mr. [William] Duer, and Mr. [Roger] Sherman.

Ordered, That General de Haas immediately repair to General Washington's head quarters.

A letter, from Brigadier General Conway,

~~A memorial from R. Aitken was Read.~~

~~Ordered, it be referred to the delegates.~~

And a memorial from Mons. De [la] Balme, were read:

Ordered, That they be referred to the Committee on Foreign Applications.

The delegates from Virginia laid before Congress, a letter from Governor P. Henry, which was read:

Ordered, That it be referred to the Board of War.

[1] The letter from Washington, with enclosures, is in the *Papers of the Continental Congress*, No. 152, IV, folio 253. That of Schuyler is in No. 153, III, folio 144. The Morris papers are in No. 41, VI, folio 15, and No. 78, XV, folio 221.

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A letter, of this day, from Thomas Wharton, president of the supreme executive council of the State of Pensylvania, was read:

Ordered, That it be referred to the Board of Treasury.

A memorial from Monsieur du Coudray was laid before Congress:

Ordered, That it be referred to the Committee on Foreign Applications, who are directed to confer with Monsieur du Coudray.

Congress took into consideration the report of the committee on the pay of the officers in the commissary's department; Whereupon,

Resolved, That the pay and allowance to the commissaries general, deputy commissaries general, assistants, and persons employed under them, be as follows, viz.

To the commissary general of purchases, 8 dollars per day and 6 rations per day:

To the deputy commissaries general of purchases, each 5 dollars and four rations per day:

To the assistant commissaries of purchases, each 4 dollars~~; and 6 rations~~ per day:

To the commissary general of issues, 150 dollars per month, and six rations per day:

To the deputy commissaries general of issues, 75 dollars per month, and four rations per day each:

To the assistant commissaries of issues, each 40 dollars per month, and two rations per day:

To the commissaries general and deputy commissaries general's clerks, 35 dollars per month, and two rations per day:

To such deputies as purchasers of live stock ~~while imployed at any post to take the charge of such Stock and deliver the same to the issuing Commissary when killed~~ are empowered to employ, for receiving the same at the

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several posts, each 27 dollars per month, and two rations per day, whilst in such service.

Resolved, That the commissary general of purchases be empowered to regulate the pay of drovers and butchers, and transmit such regulation to Congress:

That the commissary general of issues, in like manner, be empowered to regulate and transmit to Congress the pay of coopers, packers, and other persons which he may find necessary to be employed in such kind of services.[1]

Resolved, That Wednesday next be assigned for taking into consideration the report from the Committee of Treasury, and the committee appointed to devise ways and means for defraying the expence of the current year.

TREASURY OFFICE, *Philad*: *June 16*, *1777*

The Board of Treasury beg leave to present the following Resolutions for Consideration of Congress.

Whereas the Militia of the States of Pennsylvania, Delaware and New Jersey are drawn forth into actual service to oppose the Invasion of the Enemy,

Resolved, That a Pay Master for the Militia of each of the said respective States be immediately appointed.

That the said Militia while they continue in service be from time to time regularly mustered.

That they shall be paid only by their own respective Pay Masters, and that those Pay Masters conform themselves in all respects to the Rules prescribed for the Conduct of the Paymasters of the Continental Troops.[2]

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

[1] This report, in the writing of Abraham Clark, is in the *Papers of the Continental Congress*, No. 29, folio 59.

[2] "Ordered to lie." This report is in the *Papers of the Continental Congress*, No. 136, I, folio 237.

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TUESDAY, JUNE 17, 1777

A letter, from Brigadier General R. Howe, dated Charleston, 8 May, 1777, with a copy of the proceedings of a court martial; and

A letter, from J. Rutledge, president of South Carolina, dated 13 April last, with sundry papers enclosed, were read:[1]

Ordered, That the letter from General Howe be referred to the Board of War;

That the letter from Mr. President J. Rutledge, be referred to the Board of Treasury.

Resolved, That the sum of thirty-one thousand five hundred and ninety dollars be passed in the treasury books to the credit of the State of South Carolina, and charged to the account of William Kennon, the same being in full of a bill, No. 1, drawn at Charleston, April 14, 1777, by the said William Kennon, in favour of John Rutledge, Esqr. president of South Carolina, for the use of the said State.

In consequence of an adjustment by the commissioners ||of accounts,|| the auditor general reports,

That there is due to Colonel David Mason, of the 15 Virginia regiment, for a pair of button moulds, which he procured for the use of the said regiment, the sum of 16 60/90 dollars.[2]

The Board of Treasury reports,

That there should be advanced to Andrew Bryan, lieutenant in Captain Nathaniel Mitchell's company, of Colonel William Grayson's regiment, and to be charged to the said regiment, the sum of 800 dollars.[3]

Ordered, The said sums be paid.

[1] The letter of Howe is in the *Papers of the Continental Congress*, No. 160, folio 352.

[2] This report, dated June 14, is in the *Papers of the Continental Congress*, No. 136, I, folio 233.

[3] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 235.

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A petition from Paul Hussey, late commander of the schooner *Rosanna*, in behalf of John Brown, owner of the said schooner, with her tackle, apparel, and furniture, and cargo, seized and taken as prize, by the armed schooner *Priscilla*, commanded by Yelverton Fowkes, was read:

Ordered, That it be referred to the Committee on Appeals.

The committee appointed to consider what honours are due to the memory of General Wooster, brought in a report, which was taken into consideration: Whereupon,

Resolved, That a monument be erected to the memory of General Wooster, with the following inscription:

"In honor of David Wooster, brigadier-general in the army of the United States. In defending the liberties of America, and bravely repelling an inroad of the British forces to Danbury, in Connecticut, he received a mortal wound on the 27th day of April, 1777, and died on the 2d day of May following. The Congress of the United States, as an acknowledgment of his merit and services, have caused this monument to be erected."

Resolved, That the executive power of the state of Connecticut be requested to carry the foregoing resolution into execution; and that 500 dollars be allowed for this purpose.

The Board of War to whom were referred the memorial of James Mease, clothier general, and the petition from Charles Harrison and Peter Campbell, brought in a report which was taken into consideration: Whereupon, Congress came to the following resolutions:

Whereas James Mease, Esq[r] clothier general, has, by his memorial,[1] set forth, "That he is very much embarrassed and perplexed in the conducting of his department by the occasional interference of particular States, who, frequently by virtue of their votes or resolves, take and

[1] This memorial is in the *Papers of the Continental Congress*, No. 41, VI, folio 11.

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appropriate the public cloathing, and necessaries, either imported or purchased on account of the Continent, on its passage through their respective States, which has occasioned much disappointment, and will, if not put a stop to, introduce the greatest disorder and confusion in his department, and will render it impossible for him to cause an equal distribution amongst the troops of these States:" Therefore,

Resolved, That the several continental agents in the different States, be directed to deliver out no cloathing imported or purchased on account of the Continent, but to the express order of the cloathier general, or his agents; and that they be directed to transmit to the cloathier general, an account of all cloathing that may be imported as expeditiously as possible after its arrival; and that a copy of this resolution be sent to the several States.[1]

Resolved, That the petition of Charles Harrison, and Peter Campbell, prisoners, from the state of New Jersey, now in the State prison, be referred to the governor and council of that State.

That the Commissary General be directed to make a Contract with a proper Person to supply the Army ~~with Soap, and~~ that the Quantity allowed per 100 Men be encreased to

Resolved, That the commissary general of cloathing be directed to supply the army with a sufficient number of combs.

In consequence of a farther report from the Board of War,

Resolved, That Mr. Joseph Nourse be appointed deputy secretary to the Board of War, with a salary of seven

[1] This report, dated June 11, is in the *Papers of the Continental Congress*, No. 147, I, folio 215. It was prepared with the following members of the Board present: John Adams, Benjamin Harrison, George Clymer, Roger Sherman, Charles Carroll, and Francis Lightfoot Lee.

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hundred and eighty dollars per annum, to commence from the 10th day of May last.[1]

Resolved, That Colonel Hall of the 4th Maryland regiment, be furnished out of the continental store with as much cloathing as the men of the late Captain Yates's company want to supply their present necessities; the same to be deducted out of their pay, and, for that purpose, an account thereof be rendered by the cloathier general to the pay master of the said regiment.[2]

A letter from Governor Johnson, of Maryland, with sundry accounts relating to the militia of that State, who were called into service last winter, was read:

Ordered, That the same be referred to the Board of Treasury.

Resolved, That an order for 50,000 dollars be drawn on the commissioner of the loan office for the State of Massachusetts bay, in favour of James Mease, Esqr clothier general, or order, for the public service, he to be accountable:

That an order for 100,000 dollars be drawn on the commissioner of the loan office for the State of New Hampshire, in favour of the state of New Hampshire, for the use thereof, the said State to be accountable.

[1] This report, dated June 13, is in the *Papers of the Continental Congress*, No. 147, I, folio 217. The members of the Board present were: John Adams, Benjamin Harrison, Roger Sherman, Samuel Adams, George Clymer, and Charles Carroll.

[2] This report, prepared on the afternoon of June 13, is in the *Papers of the Continental Congress*, No. 147, I, folio 219. The members of the Board present were: John Adams, Roger Sherman, Samuel Adams, Francis Lightfoot Lee, Charles Carroll, and George Clymer.

The same report contained the following paragraph, which was ordered "to lie:"

"The Board of War being much embarrassed in the Execution of the Business of their Department for want of having the Resolves of Congress daily before them and being informed that the Officers concerned both in the civil and Military Departments in the Army, labour under many difficulties on the same account, beg leave to Report to Congress as their Opinion, that a Printer be immediately appointed to print the proceedings of Congress from day to day."

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The Board of War brought in a report, which was taken into consideration: Whereupon,

Resolved, That the batallion directed by the state of North Carolina, to be raised under the command of Colonel Abraham Sheppard, be admitted on the continental establishment, and considered one of the sixteen batallions which General Washington was empowered to raise and commission; the several stipulations and conditions by the said State provided, relative to the said batallion, being observed; and that the said Colonel Sheppard be ordered, as soon as 300 rank and file shall be inlisted into his said batallion, if within the time by the State of North Carolina stipulated, to join General Washington with all possible expedition, leaving proper officers to recruit:

That the appointment of Mr. Winslow, by General Gates, as captain of artillery, be approved and confirmed by Congress:

That Congress approve of General Schuyler's having annexed Major Nicholson's corps to Colonel Livingston's regiment:

That the clothier general be directed to send 500 blankets to General Schuyler, as soon as the service here will admit of it:

That the pay of a secretary to a brigadier general in a separate command, be 50 dollars per month, during such command:

That the pay of the secretary to the commander ||in chief|| in the northern department, be 60 dollars a month.

The Committee on the Treasury, to whom was referred the letter from the president of the State of Pensylvania, brought in a report; Whereupon,

Resolved, That there be advanced to the president and the supreme executive council of the State of Pensylvania,

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on their application for that purpose, the sum of 50,000 dollars, for which the said State is to be accountable.[1]

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, JUNE 18, 1777

A letter from Joseph Thornburg, waggon master general, to General Mifflin, dated camp, at Middlebrook, June 16, was laid before Congress and read:

Ordered, That it be referred to the Board of War.

Resolved, That Joseph Thornburg, waggon master general, have the rank of lieutenant colonel in the army of the United States.

A petition from Elijah Clark, Richard Westcot, and others, was read:

Ordered, That it be referred to the Marine Committee.

A memorial from Henry Haller, was read:

Ordered, That it be referred to the Board of Treasury.

The Board of War brought in a report, which was taken into consideration; Whereupon,

That two thousand Stands of Arms, four Field Pieces, two Tonn of Lead and one Cask of Flints which were imported into Portsmouth in New Hampshire, from France for account of the United States, remain in the Hands of the Continental Agent in that State subject to the Order of General Washington, until ordered away, to be made use of by the Executive Authority of the said State in Case of Invasion.

Resolved, That as several mitigating circumstances appear in favour of Thomas M'Cann, condemned by a general court martial, held at Charleston, South Carolina, to be shot for desertion, General Howe, commanding the

[1] This report, in the writing of James Duane, is in the *Papers of the Continental Congress*, No. 136, I, folio 245.

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continental forces in South Carolina, be empowered to grant a free pardon to the criminal, if he shall think such a step conducive to the good of the service and the public welfare, or order execution, if he shall think proper:

That a general officer commanding in a separate department, be empowered to grant pardons to, or order execution of, persons condemned to suffer death by general courts martial, without being obliged to report the matter to Congress or the commander in chief.

Resolved, That the petition of Thomas Rutherford, and the other prisoners from North Carolina, now on parole at Fredericktown, be referred to the governor and council of the State of Maryland, who are requested to allow them such limits and give such orders concerning their support and government as they shall think proper, agreeable to the resolutions of Congress, during their continuance in that State.[1]

Congress proceeded to the election of commissaries and deputy commissaries general of purchases and issues; the nomination having been previously made, and, the ballots being taken, the following gentlemen were elected, viz.

Joseph Trumbull, Esqr commissary general of purchases; William Aylett, William Buchanan, Jacob Cuyler, and Jeremiah Wadsworth, Esq^{rs} deputy commissaries general of purchases.

Charles Stewart, Esqr commissary general of issues.

William Green Mumford, Matthew Irwine, and Elisha Avery, Esq^{rs} deputy commissaries general of issues.

[1] The original report added "and until the government of North Carolina to whose Jurisdiction they belong shall otherwise dispose of them." These paragraphs are based upon two reports from the Board of War. One is dated June 17, P. M, with John Adams, Samuel Adams and Roger Sherman present. The other, of the 18, was prepared by John Adams, Roger Sherman, Francis Lightfoot Lee, Charles Carroll and George Clymer. They are in the *Papers of the Continental Congress*, No. 147, I, folio 223.

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A letter from Thomas Chase, deputy quarter master, to General Mifflin, dated Boston, June 1, was laid before Congress and read.

Ordered, That the same be referred to the Board of Treasury, and that they confer with General Mifflin, and report such regulations respecting purchases in the quarter master's general department, as they think proper; that they also confer with the cloathier general, and such other persons as are employed in making purchases for the Continent, and report thereon.

The Committee for Indian Affairs, to whom the letter and papers from Colonel G. Morgan, were referred, brought in a report, which was taken into consideration; Whereupon,

Resolved, That the treaty, proposed by Colonel Morgan, be held at Fort Pitt, ~~and that for perfecting the same to the advantage of the United States three thousand dollars be advanced to him, he to be accountable.~~

That the commissary general be directed to supply Colonel George Morgan, with five hundred bushels of salt, to be forwarded to Fort Pitt, for curing the provisions directed by Congress to be stored there:

That the letter from Colonel Morgan, and the several papers therein enclosed, be referred to the Board of Treasury.

The Committee on the Treasury reported,

That there should be advanced to Ensign Regnal Hillery of the 4th company of the 1st batallion of Maryland continental forces, commanded by Colonel John Hawkins Stone, to be paid to William Paca, Esqr and charged to the said batallion, the sum of 30 dollars.[1]

In consequence of an adjustment by the commissioners &c ||of accounts,|| the auditor general reports,

[1] This report, in the writing of James Duane, is in the *Papers of the Continental Congress*, No. 136, I, folio 243.

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That there is due to Robert Jewell, for his account of subsistence of prisoners in the new gaol, his and his two assistants' allowance, mending pump, wood, candles, &c. from the 11th April to 6 June, the sum of 1,338 58/90 dollars:

That there is due to Christian Farrer, for ferriage of troops over the Susquehanna, the sum of 16 39/90 dolls.

That there is due to Captain James Scott, of the Virginia militia, a ballance of his account for pay and subsistence of his company of Virginia volunteers, the sum of 179 dollars, to be paid to Mr. Kimber Barton:

That there is due to Michael Mearing, for 89 meals he supplied the troops on their way to head quarters, the sum of 11 78/90 dollars:

That there is due to Margaret Massey, for sundries she supplied two sick men in the hospital, the sum of 22 dollars:

That there is due to Captain Casper Snevely, and to be paid to Philip Marsteller, for the pay of three men of his company, who were not included in the pay roll formerly settled, the sum of 38 dollars:

That there is due to John Groh, for a riffle lost at Fort Washington, the sum of 16 dollars, to be paid to Philip Marsteller;

That there is due to Adam Orth, and to be paid to Philip Marsteller, for 85 meals supplied the troops on their march, the sum of 8 45/90 dollars:

That there is due to Stephen Paschall, for superintending the printing and rolling press, the sum of 52 dollars.[1]

Ordered, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

[1] These items are comprised in two reports, dated June 17 and 18, respectively, in the *Papers of the Continental Congress*, No. 136, I, folios 239, 241.

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THURSDAY, JUNE 19, 1777

A letter, of the 18, from General Arnold, at Coryell's Ferry, enclosing a letter of the [June 17] from General Washington, was read.[1]

A petition from Josiah Hewes, in behalf of Mr. Nicholas Brown, merchant, of Providence, owner of the sloop *Lydia*, was read, setting forth, that the said sloop was taken by a British man of war, and afterwards taken up adrift by Captain John Baldwin, in the schooner *Wasp*, and carried into Chingoteague inlet, where she was condemned, and sold, before it came to the knowledge of Mr. Brown; and, therefore, praying, that right and justice may be done to the owner, and a proportion of the value of the said vessel and cargo delivered to him.

Ordered, That the said petition be referred to the Marine Committee; and that they enquire into the facts, and do therein what they judge right; that in case the facts set forth are found true, they be instructed to relinquish to the owner, such share of the money arising from the sale of the said vessel and cargo, as belongs to the Continent.

A petition from Simeon Gore was read:

Ordered, That it be referred to the executive power of the State of Pensylvania.

Resolved, That the report from the Committee of the Treasury, and the committee appointed to devise ways and means for defraying the expences of the current year, be referred to a committee of the whole.

Congress then resolved itself into a committee of the whole, to take into consideration the report of the Committee of Treasury and the Committee appointed to devise ways and means for defraying the expences of the cur-

[1] This letter is in the *Papers of the Continental Congress*, No. 162, folio 96.

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rent year; and after some time spent thereon, the president resumed the chair, and Mr. [Benjamin] Harrison reported, that the committee have had under consideration, the report to them committed, but not having had time to go through the same desired him to move for leave to sit again;

Resolved, That Congress will, to morrow, resolve itself into a committee of the whole, to take into consideration the report of the committee on the treasury, and of the committee of ways and means.

The Committee of Treasury, to whom was referred the letter from Colonel Thomas Chase, deputy quarter master to General Mifflin, reported,

That they have conferred with the General thereupon, that the General informs the committee, that the army still continues to be in want of tents, and that all he has a prospect of purchasing to the eastward, will not be more than sufficient for the service; and, therefore, are of opinion, that a warrant should be drawn on the commissioner of the loan office of the State of Massachusetts bay, in favour of Colonel Thomas Chase, deputy quarter master general, for 50,000 dollars, to be charged to Major General Mifflin; and for which he is to be accountable.

They farther report, that there should be advanced to Captain Jonathan Langdon, of the 12 Virginia regiment, commanded by Colonel James Wood, the sum of 100 dollars, to be charged to the said regiment, and accounted for with the pay master general.[1]

Ordered, That warrants be drawn accordingly.

The several matters &c ||to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.||

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 247.

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FRIDAY, JUNE 20, 1777

Two letters, of the 18, from Joseph Trumbull, Esq[r] commissary general, and one, of the 11, from Colonel Alexander Spotswood, were read.[1]

Ordered, That the letters from Mr. J. Trumbull Esq[r], be referred to the Board of Treasury, and the letter from Colonel Spotswood to the Board of War.

The delegates of Pensylvania laid before Congress sundry resolutions, passed in general assembly for the said State; which were read as follows:

IN GENERAL ASSEMBLY FOR THE STATE OF PENNSYLVANIA,
Tuesday, 10th June, 1777.

The House resumed the consideration of the report of the committee respecting the assignment of the troops of this state to the Congress; and it was, thereupon,

Resolved, That this House do heartily concur with his Excellency the President and Council, that it will be expedient to transfer to the honorable the Continental Congress, the Pennsylvania state regiment, commanded by Colonel Bull, the regiment of artillery, commanded by Colonel Proctor, and Captain Pugh's company, raised for the purpose of guarding the powder-mills. That his Excellency the President and Council be, and they are hereby, authorized and empowered, to negotiate and settle the said transfer or assignment with the Congress, on such terms and conditions as to them shall seem most proper, so as to have the said troops credited to the quota of men to be furnished by this state:

And also, that it be recommended to them, to procure Captain Weaver's company, raised at Lancaster, for the use of the United States, to be placed to the credit of the same account.

Extract from the minutes.

JOHN MORRIS, Jun. *Clerk of Assembly.*

[1]The Spotswood letter is in the *Papers of the Continental Congress*, No. 78, XX, folio 112.

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IN COUNCIL, *Wednesday, June 18, 1777.*

The forgoing resolve of the General Assembly being laid before the Council, thereupon,

Ordered, That a copy of the said resolve be delivered to the delegates of this state in Congress, and that they be requested to transact this business with Congress, in the way they shall think most proper.

Extract from the minutes.

T. MATLACK, *Secretary.*[1]

Ordered, That the same be referred to the Board of War, and the delegates from Pensylvania.

A letter, from T. Wharton, president of the State of Pensylvania, dated 19, was read, ~~containing the following resolve of the general Assembly of the said State passed.~~

~~"In General Assembly Thursday, June 19, 1777. On motion, Resolved, That the President and council be authorized and impowered to borrow from Congress any sum of money not exceeding one hundred thousand dollars, to answer the immediate exigencies of the State, and to be repaid in a very short time out of the monies now issuing by virtue of the two hundred thousand pounds act Enacted at the last sitting of this house."~~

Wherein, "agreeable to a resolution of the general assembly of the said State, passed the 19th, and at the request of the council, he requests Congress to lend to the State of Pensylvania the additional sum of 50,000 dollars, to be repaid in a very short time;"[2] Whereupon,

Resolved, That 50,000 dollars be advanced to the State of Pensylvania on account, the said State to be accountable.

The Board of War report,

That they have taken into consideration the case of Peter Pickman Frye, a soldier in the Massachusetts regiment, now under sentence of death for deserting, with an intention to go over to the enemy, and

[1] These resolutions are in the *Papers of the Continental Congress*, No. 69, I, folio 367.

[2] This letter is in the *Papers of the Continental Congress*, No. 69, I, folio 371.

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have perused and considered a certificate of the committee of correspondence, inspection and safety, at Salem, in the said State, wherein the said committee set forth, "That the said Frye is a person, who, they think, from their knowledge of him, is not possessed of a common share of understanding, and that he is really incapable of committing a crime, maliciously and with design, deserving so severe a punishment as that to which he is now sentenced;" and that, therefore, they are of opinion, that however base the crime of desertion may be, and, more especially, when blackened by an intention to assist our inveterate and cruel enemies, yet, if it be true, that the person now condemned for the commission of this crime is in a state of idiocy or insanity, the articles of war, in this case made, can have no operation as to him:

Whereupon,

Resolved, That General Heath be directed to enquire into the fact set forth by the committee, who, no doubt, certify the matter as it appears to them, and if he shall find the culprit of unsound mind, or incapable, from natural defect of understanding, to judge of what is right or wrong, that a free pardon be granted him for this reason only, and by no means on account of friends or connexions, who should never be considered when public justice demands vicious men to suffer. Congress considers simple desertion as a crime the most atrocious and detestable, but when coupled with an intention to desert to the enemy, the offence becomes doubly heinous and wicked, the person committing it being guilty of both perjury and treason; therefore, that it be recommended to General Heath, to be cautious in his enquiries into the circumstances of the present case, and if he be not fully satisfied, as to the said Peter Pickman Frye's incapacity, that he be empowered and directed to order immediate execution.

Resolved, That the petition of William Field, and Matthias Sapenfield, and of John Smith, and James

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M'Donald, be referred to the government of North Carolina, who are requested to take such measures therein as they shall think proper.[1]

Congress took into consideration the report of the Board of War of the 21 of April last: Whereupon,

Resolved, That a corps of invalids be formed, consisting of eight companies, each company to have one captain, two lieutenants, two ensigns, five serjeants, six corporals, two drummers, two fifers, and one hundred men. This corps to be employed in garrisons, and for guards in cities and other places, where magazines or arsenals, or hospitals are placed; as also to serve as a military school for young gentlemen, previous to their being appointed to marching regiments; for which purpose, all the subaltern officers, when off duty, shall be obliged to attend a mathematical school, appointed for the purpose, to learn geometry, arithmetic, vulgar and decimal fractions, and the extraction of roots; and that the officers of this corps shall be obliged to contribute one day's pay in every month, and stoppages shall be made of it accordingly, for the purpose of purchasing a regimental library of the most approved authors on tactics and the petite guerre: That some officers from this corps be constantly employed in the recruiting service in the neighbourhood of the places they shall be stationed in; that all recruits so raised, shall be brought into the corps and drilled, and afterwards draughted into other regiments as occasion shall require.

Congress proceeded to the election of a colonel of the said corps of invalids; and, the ballots being taken,

Lewis Nicola, Esq[r] was elected.

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 227. The members present were John Adams, Roger Sherman, Samuel Adams, and Charles Carroll.

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~~Resolved, That Colonel Lewis Nicola be directed to take immediate measures for carrying into execution the foregoing resolve.~~[1]

Ordered, That the Board of War report a plan for carrying into execution the foregoing resolve.

The Committee of Appeals, to whom was referred the petition of Captain Paul Hussey, brought in a report: Whereupon,

Resolved, That Captain Yelverton Fowkes, commander of the privateer *Priscilla*, appear before the Committee of Appeals within forty days after this resolve, ||and that a copy of this resolve,|| together with a copy of the said petition, and the affidavit accompanying it, shall be served upon the said Yelverton Fowkes, his agent, or some one of the owners of the said privateer *Priscilla*, to shew cause, why the prayer of the said petition should not be granted.

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to Colonel Lindenmuth, late major of Colonel Gehr's batallion of Berks county militia, but now colonel thereof, for the balance of pay of Captain Spingler's company, 634 dollars; of Captain Shappel's company, 274 78/90 dollars; of Captain Seydett's company, 293 12/90 dollars; of Captain Ladig's company, 786 12/90 dollars; of Captain Wetston's company, 74 54/90 dollars; the whole amounting to 2,611 dollars:[2]

That there is due to Captain James M'Connel, of Colo-

[1] In the *Papers of the Continental Congress*, No. 60, folio 351, is a "Scheme for a Partisan Corps," prepared by Colonel Nicola. It is without date.

[2] The proper footing is 2,062.66 dollars. The original report accounts for the difference: "For subsistance advanced by the Field Officers of said Battalion from Berks County to Philadelphia, 388.72; also for Blankets, Musquets, &c. taken from Non-associators, per attested Copy of Appraisement, and delivered to different Continental officers p^r receipts, 159.42 Dollars."

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nel Watt's batallion, of Cumberland county flying camp, for pay, and for guns, &c. lost at Fort Washington, the sum of 408 72/90 dollars:

That there is due to Robert Jewell, for the balance of the following accounts for maintaining prisoners in the new gaol, his and his two assistants' salary, &c. viz. his account from Jan. 24 to Feb. 21, not before settled, the sum of £234 12 8; from 6 June to June 17, £147 8 2, making in the whole £382 0 10, from which deduct £300 0 0, an advance made him in December last, the balance due to him is £82 0 10, equal to 218 70/90 dollars:

That there is due to Captain Yost Herbach, of Colonel Joseph Donaldson's batallion of York county militia, for the pay and mileage of his company, the sum of 376 10/90 dollars:[1]

Ordered, That the said accounts be paid.

The committee appointed to devise ways and means for supplying the army with shoes, hats and shirts, brought in a report, which was taken into consideration: Whereupon,

Resolved, That a suitable person be appointed commissary, to receive all raw hides belonging to the United States, and that he be authorized to exchange the same for tanned leather, or men's shoes, at the customary rates of exchange, and have the leather so obtained, worked into shoes, and deliver them to the clothier general, or his order, taking duplicate receipts; one of which he shall transmit to the Board of Treasury:

That when the said commissary shall be of opinion, that the said exchanges cannot be made on reasonable terms, he be authorized to provide tan-yards, materials, and workmen for that purpose, or contract with proper persons to tan them on reasonable terms:

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 249.

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That if oyl cannot be procured for preparing the curried leather, the said commissary be supplied with tallow out of the public stores, to be used instead thereof; and that he draw for so much as may be necessary on any of the commissaries of issues, making a return of the quantity so drawn to the deputy commissary general of issues in the district:

That the said commissary of hides shall be supplied with money for carrying on the said business as occasion may require, on application to Congress; and that he settle his accounts with the Treasury Board once a year, or oftener if required:

That the Board of War may order the commissary of hides to deliver to the commissary of military stores so much of the leather in his hands as may be necessary for making accoutrements, &c. for the army; and that the said commissary shall obey such orders and directions as may, from time to time, be given him by the Board of War, respecting the business of his office, and the persons necessary to be employed by him in the service, and make return of his doings to the said Board, when required:

That the Secret Committee import a suitable number of felt hats, not exceeding 50,000, and linen for as many shirts, for the use of the army; and also import from the Spanish West Indies such a quantity of dried hides as they may judge necessary for a further supply of leather for shoes and other public uses:

That it be recommended to the governments of the several States, to procure as much home-made linen, suitable for shirts for the troops, as may be obtained on reasonable terms in the respective States, and deliver the same to the clothier general, taking duplicate receipts, and transmit one of them to the Treasury Board; and apply to Congress for such sums of money as may be necessary to pay for the same:

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That the pay of the commissary of hides be 80 dollars per month.[1]

Congress proceeded to the ~~election~~ appointment of a commissary of hides; and the ballots being taken, Peter Philips, Esqr. was elected.

Congress took into consideration the report of the Board of Treasury, on the rules to be observed in paying the army; and, after debate,

Ordered, That it lie for farther consideration till Tuesday next, and that, in the mean time, the Board of Treasury prepare printed copies of the form mentioned in the said report.

The committee to whom was referred the case of Major Apollos Morris, brought in a report, which was taken into consideration; Whereupon,

Resolved, That Major Apollos Morris be put under parole by the Board of War, not to bear arms against the United States of America during the present war with Great Britain, nor to give any intelligence, directly or indirectly, to the enemies of the said United States, nor to do or say anything in opposition to, or in prejudice of the independance of the United States, or any ||or of them, of any|| other measures or proceedings of Congress, or any of the legislative or executive powers presiding in the several States respectively:

That when the Board of War shall have taken such parole, they direct the said Major Apollos Morris to remain in Philadelphia until an opportunity shall offer for the said major to take passage to Europe or the West Indies, with the consent and approbation of the Marine Committee.[2]

[1] This report, in the writing of Roger Sherman, is in the *Papers of the Continental Congress*, No. 31, folio 319.

[2] In the report, in the Writing of Robert Morris, *Papers of the Continental Congress* No. 19, IV, folio 443, this paragraph in its original form read "to repair to York Town in Pensylvania, and there remain confined within the distance of two miles of the said Town, until an opportunity," &c.

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Resolved, That Monday next be assigned for considering the articles of confederation.

The several matters &c. ||to this day referred, being postponed,||

Adjourned to 10 o'Clock on Monday.

MONDAY, JUNE 23, 1777

Absent, Delaware. Maryland attended 12 o'Clock. ~~Georgia, 10 m. after 12.~~

Mr. John Penn, a delegate from North Carolina, attended, and took his seat.

A letter, of the 20, from General Washington, at Middlebrook, enclosing an extract of a letter from Colonel Jackson to General Knox, dated Boston, 8 June, and a copy of a letter from General Schuyler, at Saratoga; a letter of this day, from Doctor D[avid] Jackson, requesting leave to resign his appointment as a manager of the United States' lottery; and letter of the 20th, from Dr. W. Shippen, informing that Dr. Walter Jones, for weighty reasons, cannot accept the honour Congress did him in appointing him physician general of the hospitals of the middle department; and that he gives this information at the desire of Doctor W. Jones; also, a letter of the 28 May, from Pierre Van Cortlandt, president of the council of safety of the State of New York, were read:[1]

Ordered, That the letter from General Washington, with the papers enclosed, be referred to the Committee of Intelligence: ~~who are empowered to extract therefrom and publish such parts as they judge proper~~.

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 277. It is printed in *Writings of Washington* (Ford), V, 444. The original letter of Schuyler is in No. 153, III, folio 152. That of Jackson is in No. 78, XIII, folio 43; that of Shippen, in No. 78, XX, folio 115; that of Van Cortlandt, in No. 78, II, folio 189.

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That the letter from Dr. Shippen lie on the table till to morrow.

Resolved, That Dr. D. Jackson, who has entered into the service of the general hospital, have leave to resign his office of manager of the lottery.

One of the delegates of New York laid before Congress a printed paper, signed "A word to the wise is sufficient," containing an extract from the minutes of Congress, and a letter signed Thomas Young, to the inhabitants of Vermont, dated "Philadelphia, April 11, 1777," which was read:

Ordered, That the letter from Pierre Van Cortlandt, and the foregoing printed paper, and the papers formerly received from the convention of New York, respecting the difference likely to arise between that State and the inhabitants of the place called the New Hampshire Grants, and also the papers received from the said inhabitants, be referred to a committee of the whole.

Resolved, That Congress will, on Wednesday, next, resolve itself into a committee of the whole, to take into consideration the aforesaid letters and papers.

Resolved, That Joseph Trumbull, Esqr and the several persons by him lately employed in the commissary's department, be directed to supply the army with provisions in the mode which they have heretofore practised, until the commissaries general on the new establishment shall be prepared to enter upon the business.

Resolved, That the Board of War be directed to prepare the form of a commission for the officers in the commissary's department.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That Elias Boudinot, Esqr commissary general of prisoners, have power to appoint three deputies under

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him in addition to those he was heretofore authorized to appoint:

That all commissaries or other persons in the several states, having the custody or care of prisoners of war, be obliged, at any time when required by the commissary general of prisoners, or his deputies, to deliver over to him or his deputies, all such prisoners of war as are, or shall be, in their care or custody.[1]

Agreeable to the order of the day, Congress took into consideration the articles of confederation; and, after debate,

Resolved, That the farther consideration be postponed till to morrow.

A letter of the 14, from General Schuyler, at Saratoga, with seven papers enclosed, was read:

Ordered, That it be referred to the Board of War.

The Board of Treasury reported, that a warrant should be drawn in favour of the Board of War for two hundred thousand dollars, to be by them sent to the deputy pay master general, Jonathan Trumbull, for the use of the army in the northern department.[2]

Ordered, That such a warrant be drawn.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, JUNE 24, 1777

Delaware.

Maryland, attended 15 min. after 12.

A letter, of the 22, 11 o'Clock P. M. from General Washington, at Middlebrook; one, of the 23, from Mr.

[1] This report, dated June 20, p. m., is in the *Papers of the Continental Congress*, No. 147, I, folio 231. The members present were John Adams, Roger Sherman, Samuel Adams, and Charles Carroll.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 205.

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President J. M'Kinley; one, of the 19, from Governor Livingston; and a petition from Henry Yelverton Price, were read:

Ordered, That the letter from General Washington be referred to the Committee of Intelligence[1] ~~who are directed to extract therefrom and publish such parts as they think proper.~~

Congress took into consideration the letter from General M'Kinley; thereupon,

Resolved, That for the reasons assigned in the said letter, the militia of the State of Delaware, now drawn forth into actual service, be discharged; and that a warrant be drawn on the commissioner of the continental loan office, for the said State, in favour of Mr. President M'Kinley for 10,000 dollars, to pay the said militia, he to be accountable.

A petition from Daniel Bucklin, commander of the privateer *Montgomery*, was read:

Ordered, That it be referred to the Committee on Appeals.

The Board of Treasury report, that a warrant should issue on the continental treasurer in favour of John Gibson, Esq. auditor general, for the sum of 500,000 dollars, to be sent to him, and for which he is to be accountable.[2]

Ordered, That such a warrant be drawn.

The Committee of Treasury brought in a farther report, which was taken into consideration; Whereupon,

Resolved, That there be allowed for holding the treaty in the Middle Department at Fort Pitt, lately ~~recommended by the Committee on Indian affairs~~ agreed to,

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 291. It is printed in *Writings of Washington* (Ford), V, 447. That of McKinley is in No. 70, folio 619; that of Livingston, in No. 68, folio 267; and that of Price, in No. 42, VI, folio 152.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 251.

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3,000 dollars, to be paid to Colonel G[eorge] Morgan, for which he is to be accountable:

That there be allowed for the contingent expences of the said department, until December next, 1,200 dollars, to be paid to Colonel G[eorge] Morgan; and for which he is to be accountable.

Resolved, That the execution of the resolution of Congress of the 8th day of January last, for laying up magazines of provisions at Fort Pitt, be suspended, so far as relates to Indian expeditions, of which, at present, from the friendly disposition of the Indians, there seems but little probability; and that a magazine be laid up there, sufficient only for the supply of the posts and garrisons in that quarter.

Resolved, That for compleating boats and other vessels ordered by Congress to be kept in readiness at Fort Pitt, 3,000 dollars be advanced to Colonel G[eorge] Morgan; for which he is to be accountable.[1]

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That 1,200 dollars be advanced to Captain Robert Higgins, of the 8th Virginia Regiment, to enable him to compleat his company; and to be accountable for the expenditure.

Resolved, That the Board of War write to the commissary of prisoners, instructing him to propose to the British commissary of prisoners, in New York, that the prisoners of each party in the present war be supplied with such provisions, cloathing or other necessaries during their captivity by the respective captors, as may be approved of by the deputy commissaries resident where the prisoners are confined; fixing in the contract

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 253.

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the quantum and value of a ration of provisions; the cloathing and necessaries to be charged at the current prices; and the accounts of such supplies to be rendered quarterly, and the balance paid, if required, in provisions at the current rates, if due from the American commissary; or in cloathing at the current price, if due from the British commissary.

Resolved, That the said commissary of prisoners, be empowered to make such contract on behalf of the United States of America, and to make such reasonable alterations from the directions of the Board of War as he may find necessary, to obtain an equitable bargain for the mutual supply of prisoners.[1]

Resolved, That if the commissary general of prisoners shall not be able to accomplish a contract on equitable principles within the space of three weeks from this date, he be authorized to send in a quantity of provisions to supply the prisoners of war taken by the enemy and now in New York; that the overplus provision, beyond what the prisoners want for their sustenance, be sold to supply them with cloathing and other necessaries; and that it be recommended to the commissary general of prisoners, not to divulge this resolution, that an unreasonable advantage may not be taken of it.[2]

The Board of War having recommended, that eleven workmen employed by Colonel Mark Bird, in the cannon foundery and nail works, in Berks county in Pensylvania, carried on by him for the use of the United States, be

[1] These resolutions, in the writing of Robert Morris, are in the *Papers of the Continental Congress*, No. 28, folio 37.

[2] This report, in part, dated June 23, p. m., is in the *Papers of the Continental Congress*, No. 147, I, folio 235. The paragraph on the foundry workmen is noted as "referred to the Executive Council of Pennsylvania." The members of the Board present were: John Adams, Roger Sherman, Samuel Adams, and Francis Lightfoot Lee.

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discharged from the militia into which they are now drafted.[1]

Ordered, That this matter be referred to the supreme executive council of the State of Pensylvania.

A petition from Andrew Hodge, was read:

Ordered, That the same be referred to the Marine Committee; and that they be empowered and instructed to take measures for obtaining an exchange of Andrew Hodge, son of the petitioner.

A petition from R[obert] Levers was read:

Ordered, That it be referred to the Board of Treasury.

Resolved, That Mr. [George] Frost be appointed a member of the Marine Committee, in the room of Mr. [William] Whipple.

Resolved, That another member be added to the Board of War.

Resolved, That appointment be postponed till to morrow.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, JUNE 25, 1777

Absent Georgia, attended at 2 o'Clock.

Mr. [Eliphalet] Dyer, Mr. [William] Williams, and Mr. [Richard] Law, three delegates from Connecticut, attended, and took their seats.

[1] The Board of War reported, June 23:

"That eleven Workmen employed by Colonel Mark Bird at his Cannon and Nail Rod Works in Berks County, Pennsylvania, be discharged from the Militia into which they are drafted, as Congress are of opinion they are of more extensive Uses to the Continent in their Employment as Artificers, and as it is represented that the works must stand still if these Workmen march out with the Militia."

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A letter, of the 28 of May, one, of the 11, and one, of the 12 instant, from Governor Trumbull; one, of the 20th May, from General Spencer, were read:[1]

Ordered, That they be referred to the Board of War.

Resolved, That to morrow be assigned for taking into consideration the Articles of Confederation.

Agreeable to the order of the day, Congress resolved itself into a committee of the whole, to take into consideration the letters from Abraham Ten Broeck, president of the convention of the State of New York, dated January 20th, [and] March 1, the resolutions passed in committee of safety for the said State, Fish-Kill, January 20, 1777; also a petition signed Jonas Fay, Thomas Chittenden, Heman Allen, and Reuben Jones, in the name, and in behalf of the people stiling themselves inhabitants of the New Hampshire grants, dated New Hampshire grants, Westminster, 15 January, 1777; a letter, from Pierre Van Cortlandt, Esqr, President of the council of safety of New York, dated 28 May, 1777; and the printed paper, ~~signed "A Word to the Wise is sufficient"~~ containing a letter signed Thomas Young;—and, after some time being spent thereon, the president resumed the chair, and Mr. [Benjamin] Harrison reported, that the committee have had under consideration the letters and papers to them referred, but not having had time to go through the same, desire him to move for leave to sit again.

Resolved, That Congress, will on Friday next, resolve itself into a committee of the whole, to take into consideration the several letters and papers aforesaid.

A letter from Monsieur du Coudray, was laid before Congress:

Ordered, That it be referred to the Board of War.

[1] The letter of Trumbull of the 11th is in the *Papers of the Continental Congress*, No. 66, I, 337.

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The Committee on Foreign Applications, brought in a report:

Ordered, That the same be taken into consideration to morrow.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, JUNE 26, 1777

Absent, Maryland.

A letter, of the 25 of June, from General Washington, at Quibble town, was read:[1]

Ordered, That it be referred to the Committee of Intelligence, ~~to extract therefrom and publish such parts as they think proper.~~

A letter, of this day, from Matthew Irwin, ||was read,|| wherein he informs Congress that he cannot accept the office of deputy commissary general of issues, to which Congress have been pleased to appoint him.[2]

The committee appointed to enquire into the conduct of the commissaries, to whom the petition of John Lawrie, Michael Mount, and Jacob Hendrickson, and also the petition of Captain Francis Wade, were referred, reported, That Captain Francis Wade was, in January last, commissioned by General Washington, in pursuance of authority from Congress, to collect in New Jersey, for the

[1] This letter is in the *Papers of the Continental Congress*, No. 152, IV, folio 295. It is printed in *Writings of Washington* (Ford), V, 450.

[2] This letter is in the *Papers of the Continental Congress*, No. 78, XIII, folio 47. On the back, in the writing of Charles Thomson, is found the following: "*Resolved*, Each State have a right to send one representative in Congress for every 30,000 inhabitants, contained within the said State. That each member in Congress shall have a voice in determining questions." This probably, has some connection with the debates on the Articles of Confederation of this day.

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use of the army, all the beef, pork, flour, spirits, liquor, &c. not necessary for the subsistence of the inhabitants, and if not to be otherwise obtained, to use force for that purpose; that he accordingly collected considerable quantities, for most of which, greater prices were asked by the proprietors than he thought proper to give;—upon due consideration whereof, your committee recommend, that Captain Francis Wade be directed to pay the following prices for such articles by him taken in the Jerseys, the forepart of January last, which were not paid for to the satisfaction of the owners, viz:

Pork at seven pounds ||18 2-3ds dollars|| per barrel; West India rum, twenty shillings ||2 2-3ds dollars|| per gallon; French and country rum, fifteen shillings ||2 dollars|| per gallon; Salt, thirty shillings ||4 dollars|| per bushel; Sugar, nine pounds ||24 dollars|| per hundred; Cheese, fifteen pence ||15/90ths dollar|| per pound, and Hogs-lard, one shilling ||12/90ths dollar|| per pound.

That they have enquired into Captain Wade's conduct as a public officer, and are of opinion, that he ~~governed himself as nearly by the Principles of Justice and moderation~~ acted with as little severity as might be expected in the execution of such an office, ever disagreeable to a free people to have exercised among them, and which nothing but pure necessity could authorize.

The committee farther report, in addition to their report of the 14 April last, that having in the course of their enquiry into the conduct of the commissaries, received sundry informations respecting the misconduct of Mr. Carpenter Wharton, and, at his request, furnished him with the charges brought against him, which were sent by a messenger of this house, and are as follows, viz.

1. That during the last campaign, he neglected his duty in not seasonably supplying the army with provisions, and

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put the general under the necessity of appointing a commissary in his stead.

2. That in the fall of the last year, he brought to Fort Lee, such a large number of cattle (by his own acknowledgment, not less than 700, others say more,) at a time, that they suffered greatly for want of proper keeping, and became unfit for beef, many of them in such state when delivered, and from the largeness of their numbers many were lost; and upon the retreat of our army across Delaware river, droves of cattle by his direction were brought in, out of one of which droves, 254 cattle were taken as unfit for killing, and sent to his farm to winter, which he acknowledges were afterwards sold, the loss upon which, it is supposed, the public are charged with.

3. That he purchased large quantities of flour to supply the magazines and army, at extravagant prices, much beyond what the same might have been procured for, employing persons to purchase, either wholly unacquainted with business, or such as designedly raised the prices with a view to increase their profits, under the idea of receiving commissions.

4. That he raised the price of pork by bidding either by himself or agents, much greater prices than people he purchased from had agreed to sell the same for, to other commissaries; that he also purchased rum at prices higher than the same might have been obtained for.

5. That so far from endeavouring to serve the public faithfully, he refused to confer with other commissaries for concerting a mode for preventing the extravagant rise of provisions, by their bidding upon each other, said he would take his own method of purchasing, and others might do the same.

6. That he neglected his duty in not purchasing larger quantities of pork, in the proper season, when the same might have been had on reasonable terms.

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That since sending the above charges, the committee have, till this time, delayed any further proceedings therein, that Mr. Wharton might have sufficient time to offer what he thought proper in vindication of his conduct, but have not heard any thing further from him: they are therefore of opinion, that Mr. Carpenter Wharton ought to be immediately required to settle all his commissary accounts with the commissioners for auditing accounts now sitting at Philadelphia; and that the said commissioners be furnished with the above charges, and such other information as the committee may think proper to give, the better to enable them to detect frauds if attempted, and do justice in the premises.[1]

Congress taking into consideration the said report,

Resolved, That the same be agreed to.

Agreeable to the order of the day, Congress took into consideration the Articles of Confederation; and, after some debate thereon,

Resolved, That the farther consideration thereof be postponed.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, JUNE 27, 1777

Absent. New York, attended ½ after 11.

A letter, of the 19th, from W. Aylett, at Williamsburg; and one of the 18, from Governor Henry, to the delegates of Virginia, were laid before Congress and read:

Also, one of the 20, from W. Finnie, D. Q. M. G., was read.

Ordered, That they be referred to the Board of Treasury.

[1] This report, in the writing of Abraham Clark, is in the *Papers of the Continental Congress*, No. 29, folio 77.

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The Committee on Foreign Affairs brought in a draught of commissions and instructions to William Lee, Esqr, Commissioner to the Courts of Vienna and Berlin, and to Ralph Izard, Esqr, Commissioner to the Court of Tuscany, which were read and the draught of Commissions being taken into consideration was agreed to as follows.[1]

The draught of instructions being debated, the determination on a part thereof was, at the request of New Jersey, postponed till to morrow.

The Committee on the Treasury report,

That there be advanced to Colonel George Morgan, 20,000 dollars, for compleating the payment of monies he has engaged for on contracts for provisions, which are directed to be laid up in magazines at Fort Pitt, for the supply of the different garrisons in that quarter; for the expenditure of which, the said Colonel George Morgan is to be accountable.[2]

Ordered, That the same be advanced.

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to Robert Aitken, for 768 Journals of Congress, a copper plate printing-press, &c. the sum of 1,487 6/90th dollars:[3]

There is due to Colonel Henry Haller, for the expences of escorting 23 Canadian prisoners from Reading to Powles Hook, with two stage and three baggage waggons, being twenty days on the road, 1,044 88/90 dollars, and for 56 lb. of lead, for the use of his batallion, 3 66/90 dollars, amounting, in the whole, to 1,048 64/90 dollars:

That there is due to Rebecca Terry, for dieting of sol-

[1] Printed on p. 518, *post*.

[2] This report, dated June 25, is in the *Papers of the Continental Congress*, No. 136, I, folio 255. A second paragraph was adopted July 8, *post*.

[3] This report, dated June 26, is in the *Papers of the Continental Congress*, No. 136, I, folio 259.

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diers of Captain Grier's company, the sum of 6 70/90th dollars:

That there is due to Robert M'Knight, for one gun and bayonet, lost in the retreat of the baggage from Trenton last winter, it being his property, the sum of 13 30/90th dollars:

That there is due to Franklin Davenport, as brigade major under Colonels Griffin, Newcombe and Penrose, in the militia service of New Jersey, for pay from 22 December, [1776,] to 26 January, 1777, the sum of 56 48/90th dollars:

That there is due to William Tricket, for stationary he furnished for the use of Congress and the treasury office, the sum of 102 dollars:

That there is due to Colonel George Morgan, for the balance of his account in the Indian department, the sum of 42 36/90th dollars:

That there is due to Jacob Neff, for sundry meals supplied sundry troops of the militia on their march, the sum of 23 72/90th dollars:[1]

That there is due to William Pollard, for the expences of six of the Philadelphia light horse to bring Colonel Haussegger from Lebanon, by order of General Gates, the sum of 63 14/90th dollars:

That there is due to William Hall, for the expences of four of the Philadelphia light horse, on their expedition to Princeton with a charge of money, as also attending prisoners to Coryell's Ferry, the sum of 60 47/90th dollars:

That there is due to George Dorland, a private of Captain James M'Clure's company, for his gun, bayonet, &c. lost at Fort Washington, the sum of 16 60/90th dollars:

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 257. It is dated June 25.

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That there is due to Major Thomas Leonard, a prisoner on parole at Reading, being of Colonel Skinner's corps in the British service, for his allowance from the 3d March to the 22 June, being 16 weeks, at 2 dollars per week, the sum of 32 dollars.[1]

Ordered, That the said accounts be paid.

The Committee of Treasury reported, That they have had under consideration the request of the commissary general referred to them for supplying Mr. Matthew Irwin with 80,000 dollars, to enable him to pay for the magazines of provisions laid up in Pensylvania; that they have been attended by Mr. Irwin, and in answer to their enquiry how this money was intended to be disposed of, were informed, that Joseph Pennel last winter purchased, in Lancaster and York Town, about 20,000 barrels of flour, 11,000 bushels of wheat and 15,000 gallons of whiskey, which are still stored at those places and Valley Forge, and that a balance of 20,000 dollars remains due to Mr. Pennel, and that Mr. Dunham wants 12,000 dollars to pay for cattle sent to head quarters. That it appears to the committee that the said flour and wheat are in great danger of perishing, and must be wholly lost to the public, unless some effectual means are applied for their preservation.

The committee farther report, That they are also informed by Mr. Irwin, that the price of cattle in Pensylvania is most exorbitant, and are of opinion, that it is advisable to direct the commissary general to suffer as few as possible to be purchased in that State; Whereupon,

Ordered, That so much of the said report as relates to the perishable state of the wheat and flour, be referred to the Board of War, who are directed to confer with Mr.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 265.

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C. Ludwick, superintendent of bakers, on the subject, and direct proper measures to be immediately taken for preserving the said wheat and flour:

That so much of the said report as relates to the high price of cattle in Pensylvania, be sent to the commissary general of purchases, and that he be directed to suffer as few as possible to be purchased in that State.

Resolved, That there be advanced to Matthew Irwin, agent to Joseph Trumbull, Esqr commissary general, 80,000 dollars, agreeable to the said commissary's request; who is to be accountable.

Resolved, That there be advanced to Rowland Madison, captain of a company of foot, in the 12 continental regiment, raised in Virginia, and commanded by Colonel James Wood, 500 dollars, which is to be charged to the said regiment.

Resolved, That a warrant issue from the President to the commissioner of the loan office, for the State of Connecticut, in favour of Joseph Trumbull, Esqr commissary general, for 100,000 dollars; for which he is to be accountable.

Resolved, That a warrant issue from the President to the commissioner of the loan office for the State of New York, in favour of Jonathan Trumbull, Jun. Esqr deputy pay master general for the northern department, for 200,000 dollars; for which he is to be accountable.

Resolved, That a warrant issue from the President to the treasurer to transmit to John Gibson, Esqr auditor general, 500,000 dollars; for which he is to be accountable.[1]

Resolved, That a warrant issue from the President to the commissioner of the loan office of the State of New Jersey, in favour of the delegates from New Jersey, for

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 263.

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the use of the said State, for thirty-one thousand dollars; the said State to be accountable.

Resolved, That there be advanced to Captain James Holmes, of Colonel Martin's New Jersey batallion, the sum of 300 dollars, to be charged to the said regiment.[1]

Resolved, That 1,000 dollars be advanced to Captain Jacob Weaver, of the independent company at Lancaster, for the use of the said company; he to be accountable for the expenditure.[2]

Resolved, That to morrow be assigned for appointing a deputy commissary general of issues in the room of Mr. M. Irwin, who declines.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, JUNE 28, 1777

A letter, of the 15 of May, from William Bingham, at St. Pierre, Martinico, to the Committee of Secret Correspondence, was laid before Congress, and read:

Ordered, That it be referred to the Committee on Foreign Applications.

A letter, of the 26, from Robert Ritchie, was read, requesting leave to resign the office of a manager of the lottery, as the business of commissioner of claims, to which Congress has been pleased to appoint him, engrosses the whole of his time:[3]

Resolved, That leave be granted him.

[1] This one paragraph is in the *Papers of the Continental Congress*, No. 136, I, folio 267.

[2] This paragraph was reported by the Board of War June 26, 1777. It is in the *Papers of the Continental Congress*, No. 147, I, folio 242. In Richard Peters's writing is added: "Mem. Move for Money for the use of the Board to pay Contingent Expences.'

[3] This letter is in the *Papers of the Continental Congress*, No. 78, XIX, folio 93

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A letter, of the 24, from David Hall and others, with sundry papers enclosed, was read:[1]

Ordered, That the same be referred to a committee of five.

The members chosen, Mr. [Nicholas] Vandyke, Mr. [William] Paca, Mr. [James] Duane, Mr. S[amuel] Adams, and Mr. [James] Wilson.

Resolved, That Tuesday next be assigned for taking into consideration the report of the Committee of Foreign Applications respecting Monsieur du Coudray.

Upon motion made,

Resolved, That the commissions passed yesterday, and the instructions proposed to be given to the commissioners appointed to the courts of Vienna, Berlin and the Grand Duke of Tuscany, be recommitted.

Congress resolved itself into a committee of the whole, to take into consideration the letters and papers from the state of New York, the petition from Jonas Fay and others, and the printed paper referred to them; and after some time spent thereon, the president resumed the chair, and Mr. [Benjamin] Harrison reported, that the committee have had under consideration the papers to them referred, and have come to sundry resolutions thereupon, but not having had time to come to a conclusion, desired him to move for leave to sit again.

Resolved, That Congress will, on Monday next, resolve itself into a committee of the whole, to take into consideration the letters and papers aforesaid.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

[1] This letter, signed by David Hall, Henry Fisher, William Perry, and John Clowes, is in the *Papers of the Continental Congress*, No. 78, XI, folio 173.

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MONDAY, JUNE 30, 1777

Absent, Maryland.

A letter, of the 28, from General Washington, at Middlebrook; one, of the 27, from Joseph Trumbull, Esqr and [one], of this date, from Colonel George Morgan, were read:[1]

Ordered, That the letter from Joseph Trumbull be referred to the Board of Treasury.

A letter, of the 6, and one of the 27 of February, from Silas Deane, Esqr at Paris, directed to the Committee of Secret Correspondence, were laid before Congress and read.[2]

Ordered, That they be referred to the Committee on Foreign Applications.

Resolved, That 500 dollars be advanced to the delegates of Connecticut, for the use of that State, the said State to be accountable.

Ordered, That Mr. [Roger] Sherman have leave of absence.

Resolved, That Mr. [Richard] Law be appointed a member of the Marine Committee, in the room of Mr. [Roger] Sherman.

Resolved, That two members be added to the Committee on Indian Affairs:

The members chosen, Mr. [George] Walton and Mr. [James] Duane.

Congress resolved itself into a committee of the whole, to take into consideration the letters and papers from the State of New York, the petition from Jonas Fay, &c. and

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 305. It is printed in *Writings of Washington* (Ford), V, 452.

[2] Transcripts of these letters are in the *Papers of the Continental Congress*, No. 103, folio 77, 78 [Department of State].

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the printed paper referred to them; and, after some time spent thereon, the president resumed the chair, and Mr. [Benjamin] Harrison reported, that the committee have had under consideration the letters and papers to them referred, and have come to sundry resolutions thereupon, which he was ready to report, when the Congress would receive it.

Ordered, That it be now received.

The report from the committee on the whole ||Congress|| was read, and agreed to, as follows:

Resolved, That Congress is composed of delegates chosen by, and representing the communities respectively inhabiting the territories of New Hampshire, Massachusetts bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pensylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, as they respectively stood at the time of its first institution; that it was instituted for the purposes of securing and defending the communities aforesaid against the usurpations, oppressions, and hostile invasions of Great Britain; and that, therefore, it cannot be intended that Congress, by any of its proceedings, would do or recommend or countenance any thing injurious to the rights and jurisdictions of the several communities which it represents.

Resolved, That the independent government attempted to be established by the people stiling themselves inhabitants of the New Hampshire Grants, can derive no countenance or justification from the act of Congress declaring the United Colonies to be independent of the crown of Great Britain, nor from any other act or resolution of Congress.

Resolved, That the petition of Jonas Fay, Thomas Chittenden, Heman Allen and Reuben Jones, in the name

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and behalf of the people stiling themselves as aforesaid, praying that "their declaration, that they would consider themselves as a free and independent State may be received; that the district in the said petition described may be ranked among the free and independent States, and that delegates therefrom may be admitted to seats in Congress," be dismissed.

Resolved, That Congress, by raising and officering the regiment commanded by Colonel Warner, never meant to give any encouragement to the claim of the people aforesaid, to be considered as an independent State; but that the reason which induced Congress to form that corps was, that many officers of different States, who had served in Canada, and alleged that they could soon raise a regiment, but were then unprovided for, might be reinstated in the service of the United States.

Whereas, a printed paper, addressed to the inhabitants of the district aforesaid, dated Philadelphia, April 11, 1777, and subscribed Thomas Young, was laid before Congress by one of the delegates of New York, to which address is prefixed the resolution of Congress of the 15th May, 1776, and in which are contained the following paragraphs: "I have taken the minds of several of the leading members of the honorable the Continental Congress, and can assure you, that you have nothing to do, but to send attested copies of the recommendation to take up government, to every township in your district, and invite all the freeholders and inhabitants to meet and choose members for a general convention, to meet at an early day to choose delegates for the general Congress and committee of safety, and to form a constitution for yourselves. Your friends here tell me that some are in doubt, whether delegates from your district would be admitted into Congress. I tell you to organize fairly, and make

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the experiment, and I will ensure you success at the risque of my reputation, as a man of honor or common sense. Indeed, they can by no means, refuse you: you have as good a right to choose how you will be governed, and by whom, as they had."

Resolved, That the contents of the said paragraphs are derogatory to the honour of Congress, are a gross misrepresentation of the resolution of Congress therein referred to, and tend to deceive and mislead the people to whom they are addressed.[1]

First form of this report.

Whereas certain Persons within the State of New York, stiling themselves Inhabitants of the New Hampshire Grants, have published, and circulated a paper dated the 15th day of Jany last, in which it is asserted that by the Resolution of Congress of the 4th day of July last, declaring the United Colonies in America to be free and independant of the Crown of Great Britain the Jurisdiction granted by the Crown to the Government of New York over the Inhabitants of the said Grants is totally dissolved, that they are without Law or Government, and in a State of Nature, and consequently have a Right to form a Government for themselves,

And, Whereas, in persuance of such Declaration a Petition was on the 8th day of April last presented to Congress signed in behalf of the Inhabitants aforesaid by Jonas Fay and others, and praying that their Declaration of Independance may be received, and the District therein described be rank'd by Congress among the free and Independant States, and Delegates therefrom admitted to Seats in Congress.

And, Whereas, a Representation from the State of New York was on the day of presented setting forth among other things that the Convention of that State had contemplated the Misconduct of a Part of its Inhabitants in the District aforesaid with Silent Concern, being restrain'd from giving it suitable Opposition, lest at so critical a Juncture it might weaken their Exertions in the common Cause; that Advantage had been taken of their patient Forbearance, and the

[1] This report, in the writing of James Wilson, is in the *Papers of the Continental Congress*, No. 40, I, folio 153. A copy of the printed paper is in No. 78, II, 159.

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Spirit of Disaffection artfully fomented by misconstruing certain Resolutions of Congress into an Approbation of their Proceedings, and by propagating Reports that particular Members had advis'd, and were resolved to justify, and support their Scheme of Separation.

And as under this Delusion some of the said Inhabitants had proceeded so far as to claim the Protection of Congress in their propos'd Independance and a Seat for their Delegates, so on the other hand the State of New York requested Congress, by a public Declaration, to undeceive the said Inhabitants, with respect to any of their Resolutions which had been construed to imply an Approbation of their establishing a Government distinct from the rest of their Fellow Citizens, and independant of the Authority of the State of which they are Members.

[*Here followed the extract from the printed paper.*]

Resolved, Therefore, I That the Seperation from the State of New York and the Independant Government attempted to be establish'd by the said Inhabitants can derive no Countenance, or Justification from the Resolution of Congress, declaring the United Colonies to be free and Independant of the Crown of Great Britain, and that such Separation, and Independance have not been countenanced, or encouraged, or intended to have been countenanced or Encouraged, by any other Act, or Resolution of Congress.

II *Resolved*, That the Principle upon which such intended Separation is asserted to be grounded (to wit) "That by the Declaration of Independance of the United Colonies the Jurisdiction granted by the Crown of Great Britain to the Government of New York is dissolved, and the said Inhabitants possessed of a Right to form a Government for themselves," is unwarrantable in itself, and highly dangerous in its Consequences; since if it should prevail, and be carried into practice, it must inevitably destroy all Order, Stability and good Government, in particular States and entail Disunion, Weakness, and Insecurity on the United States.

III *Resolved*, That it be recommended to the aforesaid Inhabitants who have attempted such Separation to desist therefrom, and to Submit themselves quietly and peaceably to the Jurisdiction of New York, to which it appears from their own Representation they were subject before, and at the Time of the Declaration of Independance of the United Colonies.

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IV *Resolved*, That the said Printed Paper, signed Thomas Young, is a false scandalous and malicious Libel, calculated to foment a Spirit of Jealousy, and Distrust betwixt the Congress and the State of New York, and to deceive, and mislead the people to whom it is addressed.[1]

Whereas this Congress is, and from its first Institution has been, composed of Delegates chosen by the Communities inhabiting the several Territories of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, &c. as they then stood, ~~and there the said Congress could not do any act which should be binding on any persons other than the said Inhabitants~~ and being Instituted for the Purposes of securing and defending the said Territories against the Usurpations, Oppressions and Hostile Invasions of Great Britain, can not be intended by their Recommendations to mean any thing Injurious to the Rights and Jurisdictions of the several Communities which they represent [and not being by their Constituents Invested with Power or Authority to consider or decide any Disputes relative to the particular Bounds or Jurisdiction of these States, nothing in the Resolutions of Congress contained can be construed to have any Effect upon such Disputes,] therefore

Resolved, That the paper signed of the following Tenor is a gross Misrepresentation of the Resolution of Congress of the day of recommending to each State to form Constitutions of Civil Government for their Internal Police which Misrepresentation tends to mislead many of the Inhabitants of these United States into unwarrantable Seperation from and Opposition to the Jurisdiction of the several Communities of which they were Members at the Time when the Congress was first Instituted.

Resolved, That the Contents of the said paper are highly Injurious to the Honor and Dignity of Congress.[2]

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

[1] This paper, in the writing of William Duer, is in the *Papers of the Continental Congress*, No. 40, I, folio 147.

[2] This paper, in the writing of Thomas Burke, is in the *Papers of the Continental Congress*, No. 40, I, folio 151.

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TUESDAY, JULY 1, 1777

A letter, of the 29 and 30 June, from General Washington, at Middlebrook; one, of the 30, from Jos. Trumbull, commissary general; one, of the 19, from B. Harrison, Junr. deputy pay master general, at Williamsburg; one, of the 28, from Jonathan Hudson, at Baltimore; one, of this day, from James Mease, and a letter, of the 18 March, from A. Lee, at Vitoria, in Spain, to the Committee of Secret Correspondence, were read:

Also a letter, of the 20 of June, from Governor Henry, of Virginia, to the delegates in Congress from that State, was laid before Congress and read:[1]

Ordered, That the letter of the 28, and that of the 29 and 30 June, from General Washington, with the papers enclosed, be referred to the Committee of Intelligence, ~~to extract therefrom and publish such parts as they think proper.~~

Ordered, That the letter from Governor Henry be referred to the Board of War.

Resolved, That orders be sent to Colonel Charles Harrison, of the regiment of artillery raised in Virginia, to halt in Virginia till further orders.

Resolved, That an order be drawn on the treasurer at Baltimore in favour of James Mease, cloathier general, or order, for 10,000 dollars, for public service, he to be accountable.

Resolved, That an order for 20,000 dollars be drawn on the treasurer in favour of Jonathan Hudson, deputy pay master at Baltimore, for public service, he to be accountable.

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 309; that of Trumbull, in No. 78, XXII, folio 241; that of Hudson, in No. 78, XI, folio 183; and that of Henry, in No. 71, I, folio 119.

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Ordered, That the letter from B. Harrison, Junr, Esqr be referred to the Board of Treasury, and the letter from A. Lee, Esqr, be returned to the Committee on Foreign Affairs.

A letter, from Governor Caswell, of North Carolina, to the delegates in Congress from that State, dated Newbern, 11 June, together with a bill of exchange for 700 dollars, drawn on the continental treasurer, therein referred to, was laid before Congress:

Ordered, That the said letter and bill be referred to the Board of Treasury.

The Committee on the Treasury reported, that they have taken into consideration the letters referred to them, from Governor Henry, of Virginia, Mr. Aylett, deputy commissary general, and Mr. Finnie, deputy quarter master general, and an account of provisions purchased in Virginia, for the use of the United States; and find, that besides twenty cargoes of flour, amounting to 10,282 barrels, shipped from different parts in Virginia, on continental account, by order of the commissary general, there remains stored in different places of that commonwealth, 10,676 barrels of flour, 1,100 barrels of pork, and 5,790 barrels of Indian corn, which, exclusive of several cargoes and expenditures not accounted for, amount to £48,107 9 3½, of which Mr. Aylett has received £23,727 2 8, and he claims a balance in his favour of £24,383 6 7½; that this state of his accounts is collected from a rough estimate transmitted by Mr. Aylett, unattended by proofs or vouchers; that they cannot but express their apprehensions that the flour and corn which remain stored in Virginia, are in great danger of perishing, and being lost to the public from the heat of the weather, and the difficulty of transportation, unless some effectual means

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should be speedily adopted for their preservation: Whereupon,

Resolved, That the accounts of provisions shipped from, and stored in Virginia, for the use of the United States, be referred to the Board of War, in order

That the proper enquiry be made into the state of these provisions, and the most effectual means be adopted to prevent their perishing, or being lost to the public:

That a warrant be drawn by the president on Benjamin Harrison, Esqr deputy pay master general, in Virginia, in favour of Mr. Aylett, deputy commissary general in the southern department, for the sum of sixty thousand dollars, on account of his present demands, and that Mr. Aylett be informed by the Treasury Board, that agreeable to the late regulations of the commissary general's department, no money can be furnished in future for the use of his department, but through the commissary general of purchases, to whom he must apply.

The Board of Treasury further reported, That William Finnie, Esqr deputy quarter master general in the southern department, should have leave, agreeable to his request, to repair to Philadelphia, in order to settle his account with the commissioners of accounts holding their office at the treasury, under the direction of the Board of Treasury:[1]

Resolved, That leave be granted.

Resolved, That 500 dollars be advanced to Captain James Lee, towards recruiting the artillery, and charged to the account of Henry Knox, brigadier general of artillery, the same being in full of a bill drawn in his favour, by the said General H. Knox, dated camp, at Quibbletown, 25 June, 1777.

[1]This report, dated June 28, is in the *Papers of the Continental Congress*, No. 136, I, folio 269.

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Resolved, That there be advanced to Jacob Blount, Esq[r] appointed pay master of the North Carolina troops by that State, or to his deputy William Blount, 24,000 dollars for the pay of the said troops, for which the said pay master is to be accountable.

Resolved, That there be advanced to Captain James Marbury, of the 3d batallion of Maryland continental troops, commanded by Colonel Mordecai Gist, for the use of a detachment of the said batallion under his command, and to be charged to the said batallion, 204 dollars: and for the use of a detachment also under his command, of one of the sixteen regiments, commanded by Colonel Nathaniel Gist, 260 dollars, to be charged to that regiment: and for the use of a detachment also under his command, of the 4th Maryland continental batallion, commanded by Colonel J. Carvil Hall, to be charged to that batallion, 55 dollars: and for the use of a detachment also under his command of the 7th Maryland continental batallion, commanded by Colonel John Gunby, 40 dollars, to be charged to the said batallion.

Resolved, That there be advanced to Dr. W. Shippen, director general of the military hospitals, 25,000 dollars, for which he is to be accountable.[1]

Resolved, That the letter from Joseph Trumbull, Esq[r] commissary general, read this morning, be referred to a committee of three:

The members chosen, Mr. [Eliphalet] Dyer, Mr. [Jonathan Dickinson] Sergeant, and Mr. [Daniel] Roberdeau.

Congress proceeded to the appointment of a deputy commissary general of issues, in the room of Mr. M. Irwine, who declines acting, and, the ballots being taken,

Robert Hoops was elected.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 271.

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Congress proceeded to the election of a physician general of the hospital in the middle department, in the room of Dr. Jones, who declines, and, the ballots being taken, Benjamin Rush was elected.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That the part of Governor Trumbull's letter, of the 12 of June, which relates to supplying the State of Connecticut, with a number of arms, be referred to General Washington.[1]

The Committee on Foreign Affairs, to whom were recommitted the commissions and instructions to the commissioners to the Courts of Vienna, Berlin, and the Grand Duke of Tuscany, brought in another draught, and the same being taken into consideration, the commissions and instructions were agreed to.

COMMISSION TO WILLIAM LEE.

The delegates of the United States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia—To all who shall see these presents, send greeting.

Whereas a friendly and commercial connexion between the subjects of his imperial majesty, the emperor of Germany, and the people of these states, will be beneficial to both nations:—Know ye, therefore, that we, reposing special trust and confidence in the zeal, fidelity, abilities and assiduity of William Lee, esquire, of the state of Virginia, have appointed and deputed, and by these presents do appoint and depute the said William Lee our commissioner, giving and granting to our said commissioner full power and authority to communicate and treat with his imperial majesty, the emperor of Germany, or with such person or persons as shall be by him for such purpose authorized,

[1]This report is in the *Papers of the Continental Congress*, No. 147, I, folio 243. The members present were: John Adams, Samuel Adams, Benjamin Harrison, Roger Sherman, James Wilson, George Clymer, and Charles Carroll.

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of and upon a true and sincere friendship, and a firm, inviolable, and universal peace, for the defence, protection and safety of the navigation and mutual commerce of the subjects of his imperial majesty and the people of the United States; and to do not only all such things as may conduce to those desirable ends, but also, to transact and execute all such other matters as shall hereafter be given him in charge.

Done in Congress, at Philadelphia, the first day of July, in the year of our Lord, one thousand seven hundred and seventy-seven. In testimony whereof the President, by order of the said Congress, hath hereunto subscribed his name and affixed his seal.

(Signed) JOHN HANCOCK, *President.*

Attest,

CHARLES THOMSON, *Secretary.*

Another commission to William Lee, esquire, commissioner to his majesty the king of Prussia, in the same terms, mutatis mutandis.

A commission to Ralph Izard, esquire, of the state of South Carolina, commissioner to his royal highness the grand duke of Tuscany, similar to that to William Lee, mutatis mutandis.

INSTRUCTIONS TO WILLIAM LEE, ESQUIRE.

SIR, Herewith you will receive commissions from the Congress of the United States of North America, authorizing and appointing you to represent the said Congress as their commissioner at the courts of Vienna and Berlin. You will proceed with all convenient expedition to those courts; visiting that first, which, on consultation with the commissioners at the court of France, shall be judged most proper. You will lose no time in announcing in form to those courts, the declaration of Independence made in Congress on the fourth day of July, 1776. The reasons of this act of Independence are so strongly adduced in the declaration itself, that further argument is unnecessary. As it is of the greatest importance to these states, that Great Britain be effectually obstructed in the plan of sending German and Prussian troops to North America, you will exert all possible address and vigour to cultivate the friendship and procure the interference of the emperor and of Prussia. To this end you will propose treaties of friendship and commerce with these powers, upon the same commercial principles as were the basis of the first treaties of friendship and commerce proposed to the courts of France and Spain, by our commissioners, and which were approved in Congress the seventeenth day

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of September, 1776, and not interfering with any treaties which may have been proposed to, or concluded with, the courts abovementioned. For your better instruction herein, the commissioners at the court of Versailles will be desired to furnish you, from Paris, with a copy of the treaty originally proposed by Congress, to be entered into with France, together with the subsequent alterations that have been proposed on either side.

You are to propose no treaty of commerce to be of longer duration than the term of twelve years from the date of its ratification by the Congress of the United States. And it must never be forgotten, in these commercial treaties, that reciprocal and equal advantages to the people of both countries be firmly and plainly secured.

There being reasons to suppose that his Prussian majesty makes commerce an object, you will not fail to place before him, in the clearest light, the great advantages that may result from a free trade between the Prussian dominions and North America.

You will seize the first favourable moment to solicit, with decent firmness and respect, an acknowledgment of the independence of these states, and the publick reception of their commissioner as the representative of sovereign states. The measures you may take in the premises, and the occurrences of your negotiation, you will communicate to Congress by every opportunity.

It may not be improper to observe, that these instructions, and all others which you may receive from time to time, should be kept as secret as circumstances will admit.

INSTRUCTIONS TO RALPH IZARD, ESQUIRE.

SIR, Herewith you will receive a commission from the Congress of the United States of North America, authorizing and appointing you to represent the said Congress as their commissioner at the court of the grand duke of Tuscany. You will proceed with all convenient expedition to the court of the grand duke; and will lose no time in announcing in form the declaration of Independence made in Congress the fourth day of July, 1776. The reasons of this act of Independence are so strongly adduced in the declaration itself, that further argument is unnecessary.

As it is of the greatest importance to these states that Great Britain be effectually obstructed in the plan of sending German and Prussian troops to North America, you will exert all possible address to prevail with the grand duke to use his influence with the emperor and the courts of France and Spain to this end.

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You will propose a treaty of friendship and commerce with the said grand duke upon the same commercial principles as were the basis of the first treaties of friendship and commerce proposed to the courts of France and Spain by our commissioners, and which were approved in Congress the seventeenth day of September, 1776, and not interfering with any treaties which may have been proposed to or concluded with the courts abovementioned. For your better instruction herein, the commissioners at the court of Versailles will be desired to furnish you, from Paris, with a copy of the treaty originally proposed by Congress to be entered into with France, together with the subsequent alterations that have been proposed on either side.

You are to propose no treaty of commerce to be of longer duration than the term of twelve years from the date of its ratification by the Congress of the United States. And it must never be forgotten in these commercial treaties, that reciprocal and equal advantages to the people of both countries be firmly and plainly secured.

There being reason to suppose that his royal highness makes commerce an object of his attention, you will not fail to place before him, in the clearest light, the great advantages that may result from a free trade between Tuscany and North America.

You will seize the first favourable moment to solicit, with firmness and respect, an acknowledgment of the independence of these states, and the publick reception of their commissioner as the representative of sovereign states.

The measures you may take in the premises, and the occurrences of your negotiation, you will communicate to Congress by every opportunity.

It may not be improper to observe, that these instructions, and all others which you may receive from time to time, should be kept as secret as circumstances will admit.[1]

[1] Taken from the printed Secret Journals. From the same source are taken the following commissions to Benjamin Franklin and to Arthur Lee:

The delegates of the United States of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia—To all who shall see these presents, send greeting.

Whereas a friendly and commercial connexion between the subjects of his catholick majesty the king of Spain and the people of these states will be beneficial to both nations:—Know ye, therefore, that we, confiding in the prudence and integrity of Benjamin Franklin, one of the delegates in Congress from the state of Pennsylvania, and a commissioner from these United States to the court of France, have

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Resolved, That the Committee on Indian Affairs be empowered to receive from Mr. Levy, the wampum in his hands, belonging to the public, and to dispose of the same for the public service.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

appointed and deputed, and by these presents do appoint and depute, him the said B. Franklin, our commissioner; giving and granting to him, the said Benjamin Franklin, full power to communicate, treat, and conclude with his catholick majesty the king of Spain, or with such person or persons as shall by him be for that purpose authorized, of and upon a true and sincere friendship, and a firm, inviolable and universal peace, for the defence, protection, and safety of the navigation and mutual commerce of the subjects of his catholick majesty and the people of the United States; and also to enter into, and agree upon, a treaty with his catholick majesty, or such person or persons as shall be by him authorized for such purpose, for assistance in carrying on the present war between Great Britain and these United States; and to do all other things which may conduce to those desirable ends; and promising in good faith to ratify whatsoever our said commissioner shall transact in the premises: Provided always, that the said Benjamin Franklin shall continue to be possessed of all the powers heretofore given him as a commissioner to the court of France from these states, so long as he shall remain and be present at the said court.

Done in Congress, at Baltimore, the second day of January, in the year of our Lord, one thousand seven hundred and seventy-seven. In testimony whereof the President, by order of the said Congress, hath hereunto subscribed his name and affixed his seal.

President.

Attest.

Secretary.

The delegates of the United States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia—To all who shall see these presents, send greeting.

Whereas a friendly and commercial connexion between the subjects of his catholick majesty the king of Spain and the people of these states, will be beneficial to both nations:—Know ye, therefore, that we, confiding in the prudence and integrity of Arthur Lee, esquire, of Virginia, have appointed and deputed, and by these presents do appoint and depute him the said Arthur Lee, our commissioner, giving and granting to him, the said Arthur Lee, full power to communicate, treat, and conclude with his catholick majesty, the king of Spain, or with such person or persons as shall be by him for that purpose authorized, of and upon a true and sincere friendship, and a firm, inviolable, and universal peace, for the defence, protection and safety of the navigation and mutual commerce of the subjects of his catholick majesty and the people of the United States; and also, to enter into, and agree upon

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WEDNESDAY, JULY 2, 1777

Resolved, That the letter, of the 30th June, from Colonel G. Morgan, be referred to the Board of Treasury.

Resolved, That the Committee on Foreign Affairs be instructed to prepare a commission to one or more of the commissioners appointed to foreign Courts, to empower him or them to represent the Congress at the States General of the United ~~States of Holland~~ Provinces.

The committee to whom was referred the letter of 30 June, from Joseph Trumbull, Esqr. commissary general, brought in a report which was taken into consideration; Whereupon,

~~That it is the opinion of this Committee that Mr Bate should receive a draught on the Loan office in Connecticut in favor of the S^d. Mr Trumbull agreeable to his request.~~

~~That the assistant appointed by the Deputy Commissary general for purchasing live stock should receive the sum of ——— a head for all fat cattle and the sum of ——— a head for all fat sheep or hogs by him purchased besides the pay allowed the Drover, and the expense of driving the Cattle hogs and sheep to the place of destination, and that he receive no other wages.~~

Resolved, That the deputy commissaries general of purchases, respectively, be authorized to make reasonable allowances, to such of the assistant commissaries, as are

a treaty with his catholick majesty, or such person or persons as shall be by him authorized for that purpose, for assistance in carrying on the present war between Great Britain and the United States, and to do all other things which may conduce to those desirable ends; and promising in good faith to ratify whatsoever our said commissioner shall transact in the premises: Provided always, that the said Arthur Lee shall continue to be possessed of all the powers heretofore given him, as a commissioner at the court of France from these states, so long as he shall remain in, and be present at, the said court.

Done in Congress, at Philadelphia, the fifth day of June, in the year of our Lord, one thousand seven hundred and seventy-seven. In testimony whereof, the President, by order of the said Congress, hath hereunto subscribed his name, and affixed his seal.

[L. S.] *President.*

Attest.

Secretary.

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employed in buying and collecting live stock for all extraordinary travelling expences, which they may necessarily be put to, not exceeding one dollar and one third of a dollar per day for such additional allowance:[1]

That there be paid to the assistant commissaries of issues, each, the sum of sixty dollars per month.[2]

Resolved, That the following be the form of the commission, to be filled up according to the several stations of the several commissaries of purchases, and issuing commissaries:

IN CONGRESS.

The delegates of the United States of New Hampshire, Massachusetts bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, to

We reposing Especial trust and confidence in your patriotism, conduct, and fidelity, do, by these presents, constitute and appoint you to be ——— in the army of the United States, raised for the defence of American liberty, and for repelling every hostile invasion thereof: you are therefore, carefully and diligently, to discharge the duty of ——— by doing and performing all manner of things thereunto belonging. And you are to observe, and follow such orders, and directions, from time to time, as you shall receive from this, or a future Congress of the United States, or committee of Congress for that purpose appointed, or commander in chief for the time being of the army of the United States, or any other your superior officer, according to the rules and discipline of war, in pursuance of the trust reposed in you. This commission to continue in force until revoked by this, or a future Congress.

Dated at ———

By order of Congress,

President.[3]

Attested.———

[1] This paragraph was not in the original report. It is in the *Papers of the Continental Congress*, No. 29, folio 63. It is in the writing of Abraham Clark.

[2] This report, in the writing of Jonathan Dickinson Sergeant, is in the *Papers of the Continental Congress*, No. 59, folio 61.

[3] This form of commission was reported by the Board of War, June 23, 1777. It is in the *Papers of the Continental Congress*, No. 147, I, folio 245.

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Congress proceeded to the election of a surgeon general of the hospital in the middle department, in the room of Dr. Rush; and, the ballots being taken,

Dr. William Brown was elected.

Congress proceded to the choice of a member to be added to the Board of War: and the ballots being taken,

Mr. [William] Duer was elected.

Resolved, That to morrow be assigned for taking into consideration, the articles of confederation.

The order of the day was called for, to take into consideration ||the report on|| the affairs of Monsieur du Coudray; Whereupon,

The Committee on Foreign Applications laid before Congress the following papers:

1. Articles of agreement, entered into by and between Silas Deane, ~~Agent for the united colonies of North America for transacting their business, commercial and political, in France~~ on the one part, and the Sieur Philippus Charles John Baptist Tronson du Coudray, adjutant general of artillery, in the service of France, dated 11 September, 1776.

2. Compte rendu à Messr. les deputés de l'honorable Congrès, des Etats Unis d'Amérique, par Monsr. du Coudray; [with] a translation.

3. A bundle of original papers referred to in the foregoing account.

4. An agreement entered into between Benjamin Franklin and Silas Deane, in behalf of the United States, and the Chevalier du Portail, lieutenant colonel in the royal corps of engineers of France, Monsieur de Laumoy, major in the royal corps of engineers of France, Monsieur de Gouvion, captain in the said corps, and Monsieur La Radière, major in the said corps, together with observations thereon, both in French and English:

And the said committee reported, as their opinion,

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that the consideration of these several agreements and papers should be referred to the committee of the whole Congress;[1]

Resolved, That Congress concur with the committee.

Congress then resolved itself into a committee of the whole, on the foregoing papers; and, after some time, the president resumed the chair, and Mr. [Benjamin] Harrison reported, that the committee have had under consideration, the papers to them referred, but, not having had time to go through the same, desired him to move for leave to sit again.

Resolved, That Congress will, on Saturday next, resolve itself into a committee of the whole, to take into consideration, the before mentioned papers.

The Committee on the Treasury beg leave to report the following Resolutions:

Resolved, That the Pay of the Pay Master General be increased to 150 Dollars per month.

That he be allowed one additional Clerk, and that he have the Rank of Colonel.

Resolved, That the Pay of the Deputy Pay Masters to be appointed by the Paymaster or the Deputy Pay Master General, agreeable to a Resolve of Congress of the day of last, be Dollars per month, and that the Pay Master and Deputy Pay Master General be respectively required to take Bonds of such Deputies for the faithful performance of their office in such Penalties as the Commander in Chief or Commander of the Department shall direct.[2]

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

[1] This recommendation, in the writing of James Lovell, is in the *Papers of the Continental Congress*, No. 19, II, folio 131. It reads: "The Committee on foreign applications, having considered the Letters from Gen'l Washington and other papers referred to them respecting Mr. Du Coudray and a Corps of Officers brought by him from France, upon a Compact made with Mr. Deane as commercial and political Agent of these United States, recommend as their opinion that the said Compact and Papers be referred to a Committee of the whole Congress."

[2] "To lie." This report, dated July 2, is in the *Papers of the Continental Congress*, No. 136, I, folio 275.

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THURSDAY, JULY 3, 1777

A letter, of 1, from General Washington, at Middlebrook, was read.

The Committee on Foreign Affairs brought in the form of a commission to a commissioner to the States General of the United Provinces: Whereupon,

Resolved, That the form of the commission and instructions to the commissioner to the States General of the United Provinces, be the same as those given to the commissioners to the Courts of Vienna, Berlin and the Grand Duke of Tuscany.

A letter of the 2d from General Washington, at Middlebrook, and one of the 25 June, from General Schuyler, at Saratoga, with sundry papers enclosed; one, of the 2d, from Joseph Trumbull; one, of the 30 June, from General Putnam, at Peekskill; one, of the 22 June, from Jonathan Potts, at Ticonderoga; one, of the 16 June, from John Avery, deputy secretary, dated council chamber, Boston; and one, of the 1st, from General Sullivan, at Middlebrook; were read:[1]

Ordered, That the letters from General Washington and General Schuyler, with the papers enclosed, ~~and also the letter from General Sullivan~~ be referred to the Board of War; that so much of General Washington's letter as relates to money matters, and the letter from Joseph Trumbull, be referred to the Board of Treasury; that the letter from Dr. Potts, be referred to the Medical Committee.

A letter, of the 22d of June, from William Greene, speaker of the general assembly of Rhode Island and

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 313. Another of the 2d, read on this day, is on folio 317. It is printed in *Writings of Washington* (Ford), V, 461. That of Schuyler is in No. 153, III, folio 172; that of Putnam, in No. 159, folio 71.

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Providence Plantations, to the delegates in Congress from that state, was laid before Congress:

Ordered, That it be referred to the Board of Treasury.

~~Congress took into consideration the letter from General Sullivan; Whereupon,~~

~~Resolved, That the president inform General Sullivan that Congress have not been accustomed to be controled by their officers in the measures which they are about to take in discharge of the important trust committed to them by the United States; that they mean not to be controled by his letter in their proceedings respecting Monsr du Coudray; for that whatever those proceedings may be, General Sullivan's resignation will be accepted by Congress whenever he shall think it proper to transmit it to them.~~

The Committee to whom the letter from David Hall and others, with the papers accompanying the same, was referred, reported "that they have attended to the business given them in charge, and have received the following information. That a considerable part of the inhabitants of Sussex county, in the State of Delaware, have ever since the commencement of the present controversy with great Britain acted as enemies to the American cause, and are now unfriendly and disaffected to the constitution and government of that State, and to the independence of the United States; that an open and avowed intercourse has been kept up by the disaffected in the county aforesaid with the British ships of war, by means of which intelligence has from time to time been given, and frequent supplies of provisions have been afforded to the enemies of the United States; that the disaffected in the said county keep up a constant correspondence with those of the same character in the counties of Worcester and Somerset in the State of Maryland; that some of

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them have promised to conduct British sailors to the houses of the well affected that they might be taken; that it is probable that enterprizes of this kind will be attempted to be put in execution; that one person has already been taken in this way and put in irons; that considerable numbers of men have been recruited for the enemy in Sussex county, and have been sent to New York; that the militia officers in that county have generally resigned, and the laws of the State of Delaware for punishing treason and disaffection are rendered altogether ineffectual by the insolence and the numbers of the disaffected; that a very large sum of counterfeit continental money has been brought from the enemy's ships into the said county, part of which has been circulated among the inhabitants; that there is the greatest reason to apprehend, that if the enemy were to gain the smallest advantage over the army of the United States, and the English fleet should appear upon the coast, there would be a general insurrection in that county in favour of the British king; that in May last the president of the State of Delaware sent commissioners to inquire into the state of the county of Sussex, and ordered them to make report of any treasonable practices they might be able to discover among the inhabitants of the said county; that a report mentioning the disaffection and treasonable practices, which the said commissioners, from the best information they could receive, and such observations as they had an opportunity of making, believed to prevail in the said county, was accordingly made; that the Assembly of the State of Delaware met a few days after the said report was made, but adjourned without any proceedings being held thereupon." Whereupon

Resolved, That the regiment of continental troops now in the State of Maryland under the command of Colonel

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Richardson be immediately ordered to march into the county of Sussex in the State of Delaware, to overawe and disarm the disaffected in that county, to put a stop to the intercourse which they carry on with the enemy by securing all the water craft and by every other measure which Colonel Richardson shall deem necessary, and to ~~execute such further measures as shall be directed by the President of the State of Delaware, or other Persons acting under the authority of that State~~ apprehend, detain and secure the leaders in such highly criminal practices.

~~That the Governor of the State of Maryland be requested to order the Militia of that State who now do Duty with Colonel Richardson's Regiment, to march with that Regiment, and assist it in performing this service.~~

That the President of the State of Delaware be requested to order two hundred of the Militia of that State, to join and cooperate with Colonel Richardson's Regiment ~~and the Militia from the State of Maryland~~.

That it be earnestly recommended to the Legislative or Executive authority of the State of Delaware, to adopt and pursue the most vigorous and effectual measures, for checking the [dangerous and] spreading of Disaffection in ~~the County of Sussex and particularly for discovering, apprehending, securing and punishing the Leaders of the highly criminal Designs and Enterprises which have been carried on in that County~~ that part of the State.

That for accomplishing this important End Congress will afford to the State of Delaware, every Assistance by the Continental Troops ordered into the County of Sussex, and by all such other Measures as may be found to be necessary.

Resolved, That the Board of War be directed to take effectual measures for Compleatly arming as speedily as possible Colonel Richardsons Battalion which is ordered into Sussex County in the State of Delaware.

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Ordered, That a Copy of the foregoing Report and Resolutions, and also of the letter of the 24th June from David Hall and others together with Copies of the Depositions accompanying the same, be sent to the President of the State of Delaware, and to Colo: Richardson.[1]

The Committee on Foreign Affairs brought in the draught of a commission and instructions to the commissioner to be sent to the States General of the United Provinces, which were read.

Ordered, To lie on the table.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Saturday.

SATURDAY, JULY 5, 1777

A letter, of the 25 of June, from General St. Clair, at Ticonderoga. A letter, of the 1, from General Greene, and one, of the same date, from Brigadier General Knox. One, of the 30 of June, from Brigadier General A. Wayne;

A petition from Colonel M. Hazen, and a petition, from Robert Anderson, were read:[2]

Ordered, That the letter from General St. Clair, with the papers enclosed, be referred to the Board of War:

That the petition from Colonel Hazen, with the papers accompanying the same, be referred to the Board of Treasury.

[1] The report, in the writing of James Wilson, is in the *Papers of the Continental Congress*, No. 20, II, folio 205. The last two paragraphs are in the writing of Charles Thomson.

[1] The letter of St. Clair is in the *Papers of the Continental Congress*, No. 161, folio 501; that of Greene, in No. 155, I, folio 35; that of Knox, in No. 78, XIII, folio 439; that of Wayne, in No. 161, folio 237. The petition of Anderson is in No. 42, I, folio 33.

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The Board of Treasury reported, that they have had under consideration the petition of Captain William Jenkins, referred to them the 11 October last, and he having been qualified to the truth of the facts therein set forth, they are of opinion that he should be paid 180 dollars, which he had received for the payment of his company and lost in the retreat from the siege of Quebec.[1]

Ordered, That the said account be paid.

The said Committee reported,

That a warrant should be drawn on Thomas Smith, Esq. continental loan officer in Pensylvania, in favour of John Gibson, Esqr auditor general, for one hundred thousand dollars, he to be accountable.

That another warrant be drawn by the president on the auditor general, in favour of Richard Ellis, for 700 dollars, being in full of a bill drawn by his excellency Governor Caswell, of North Carolina, in part of the expences of horses, carriages and other necessaries furnished Colonel Derford and five other French gentlemen of his party on their journey from thence to Philadelphia, to be charged to the said Governor:

That there be advanced to Colonel Flower, commissary general of military stores, 10,000 dollars, for the use of his department, he to be accountable.[2]

Ordered, That the said warrants be drawn and advance made.

The said Board farther reported that a warrant should be drawn by the president on Benjamin Harrison, Junr Esqr deputy pay master general of the southern department, in favour of Colonel William Aylett, deputy commissary general in the said department, for 54,000 dol-

[1] This report, dated June 26, is in the *Papers of the Continental Congress*, No. 136, I, folio 261.

[2] This report, dated July 3, is in the *Papers of the Continental Congress*, No. 136, I, folio 281.

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lars, for which the said Commissary General is to be accountable.[1]

That there should be advanced to Jacob Mehs, [Maess] lieutenant in Captain Anderson's company of the Pensylvania regiment commanded by Colonel Walter Stewart, 200 dollars, which is to be charged to the said regiment:

That a warrant should be drawn in favour of the Board of War for 524,000 dollars, to be transmitted by them to the paymaster general for the pay of the army:

That the president issue his warrant to the commissioner of the loan office for the State of Rhode Island, to pay to the order of the general assembly of the said State, 190,000 dollars, for which they are to be accountable:

That there should be advanced to the delegates of the State of Rhode Island, 10,000 dollars, to enable them to answer a bill drawn on them for the use of the said State, and for which that State is to be accountable:[2]

Ordered, That the said advances be made and warrants drawn.

A letter, of the 1, from Lux and Bowley, Samuel and Robert Purviance and David Stewart, directed to Robert Morris, Esqr was laid before Congress and read:

Ordered, That it be referred to the Secret Committee.

Whereas, the Secret Committee, by the absence of a number of the members, are reduced to two,

Resolved, That a new committee, to be styled, the Committee of Commerce, be now appointed, to consist of

[1] This paragraph formed part of a report, dated July 2, which contained two other paragraphs, both of which were ordered "to lie." These paragraphs were: "*Resolved*, That all Bedding, Blankets, Shirts and Sheets which may be necessary for the use of the Hospitals be purchased and supplied by the Clothier General.

"*Resolved*, That it is the opinion of this Committee that the Pay of Benjamin Harrison jun^r Esqr as Depr Pay Master General of the Southern Department ought to be augmented."

The report is in the *Papers of the Continental Congress*, No. 136, I, folio 273.

[2] This report, dated July 5, is in the *Papers of the Continental Congress*, No. 136, I, folio 283.

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five members; that this committee be vested with the powers granted to the Secret Committee, and that the remaining members of the late Secret Committee be directed to settle and close their accounts and transfer the balances to the Committee of Commerce:

The members chosen, Mr. R[obert] Morris, Mr. P[hilip] Livingston, Mr. W[illiam] Smith, Mr. [Thomas] Heyward, and Mr. [Elbridge] Gerry.

Ordered, That the case of Nicholas Davis, formerly referred to the Secret Committee, be referred to the Committee of Commerce.

In consequence of an adjustment by the commissioners of accounts, the auditor general reports, that there is due, to John Coats, for his musket, lost after the battle of Princeton, he having been disabled, the sum of 14 60/90ths dollars.

That there is due to Frederick Bicking, for 142 reams of paper for continental bills of credit, the sum of 1,420 dollars:[1]

That there is due to Captain Thomas Lansdale, late a lieutenant in Captain Howard's company of Colonel Hall's batallion of Maryland flying camp, for provisions and necessaries supplied 365 men, discharged from New York, in January last, the sum of 118 15/90ths dollars:

That there is due to the owners of the powder house, for storage of 434¼ barrels of powder, the sum of 57 81/90ths dollars, which is to be paid to the widow Spring:

Ordered, That the said accounts be paid.

A deposition of Thomas M'Arthur, taken before Joshua Elder, one of the justices of the peace for the county of Lancaster, in the State of Pensylvania, respecting the conduct of one Davies, of the city of Philadelphia, em-

[1] This report, dated July 2, is in the *Papers of the Continental Congress*, No. 136, I, folio 277. The two paragraphs that follow form a report, dated July 3, on folio 279.

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ployed in purchasing horses, was laid before Congress and read:

Ordered, That it be referred to the Board of War.

On application from the Marine Committee,

Resolved, That a warrant for forty thousand dollars be drawn on the commissioner of the loan office in Massachusetts bay, in favour of John Bradford, and a warrant for five thousand dollars on the deputy pay master general, in Virginia, in favour of John Tazewell, the continental agent there, for the use of the frigate *Virginia;* and another warrant for twenty thousand dollars on the commissioner of the loan office in the State of Connecticut, in favour of Governor Trumbull, for the use of the frigates building there, the same being in part of the money heretofore granted to the Marine Committee.[1]

A copy of a letter from Colonels Hale, Scammell, and Cilley, of the New Hampshire batallions, to the executive power of that State, was laid before Congress and read:

Ordered, That it be referred to the Board of War; who are directed to take the most effectual measures and give the necessary orders for arming and cloathing the troops in the northern department.

Congress took into consideration the letters from General Greene and Brigadier General Knox; and, after debate,

Resolved, That the farther consideration thereof be postponed till Monday.

A letter, from Brigadier General Moore, was read:

Ordered, That it be referred to the Board of Treasury.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 85–1.

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MONDAY, JULY 7, 1777

A letter, of the 5, from General Washington, with a letter to him from G. Saltonstall, and a petition from Seth Warner, and other officers, were read:[1]

Ordered, That the letter from the General, with the letter enclosed, be referred to the Board of Treasury; and that the petition from Colonel Warner and others, lie on the table.

A petition from the Rev. F[rancis] Allison, J[ohn] Ewing, and W[illiam] Marshall, was read:[2]

Ordered, That it be referred to a committee of three:

The members chosen, Mr. [Daniel] Roberdeau, Mr. J[ohn] Adams, and Mr. J[onathan] B[ayard] Smith.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That William Buchanan, Esq[r] deputy commissary general of purchases for the middle department, be directed to appoint a proper person to supply the regiment commanded by Colonel Richardson, with provisions, during their continuance in Maryland and the Delaware States:

That in case Mr. Buchanan should decline acting as deputy commissary for the department, the governor and council of Maryland, be authorized and requested to make the appointment of a deputy commissary for the supplying Colonel Richardson's batallion with provisions, during their stay in Maryland or the Delaware State.

Ordered, That the remainder of the said report be referred to the Board of Treasury, in order that they may direct or point out the mode of paying Colonel Richardson's batallion.

[1] The draft of the Washington letter is in the *Letters of Washington*, Series A, II, folio 407. That of Warner is in the *Papers of the Continental Congress*, No. 42, VIII, folio 165.

[2] This memorial is in the *Papers of the Continental Congress*, No. 42, I, folio 35.

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The Board of War brought in a farther report; Whereupon,

Resolved, That a letter be written to the council of safety of the State of New York, informing them of the distress which the troops at Ticonderoga are in for want of blankets, and requesting them to use their exertions in collecting and forwarding in the most expeditious manner to that post fifteen hundred blankets:

That the faith of Congress be plighted to the State of New York for replacing the blankets so furnished out of the first importation of that article on the account of the Continent in any port of the United States.

A petition from Robert Galbreath was read,

Ordered, To lie on the table.[1]

Congress resumed the consideration of the letters from Generals Sullivan, Greene, and Knox, all dated the 1 July; Whereupon, Congress came to the following unanimous resolution:

That the president transmit to General Washington copies of the letters from Generals Sullivan, Greene, and Knox, to Congress, with directions to him to let those officers know that Congress consider the said letters as an attempt to influence their decisions, and an invasion of the liberties of the people, and indicating a want of confidence in the justice of Congress; that it is expected by Congress the said officers will make proper acknowledgments for an interference of so dangerous a tendency; but, if any of those officers are unwilling to serve their country under the authority of Congress, they shall be at liberty to resign their commissions and retire.

The Board of Treasury reported, that a warrant should be drawn by the president in favor of Mons. the Sieur Philippus Charles John Baptist Tronson du Coudray, for 1,000 dollars, for which he is to be accountable:

[1] This petition is in the *Papers of the Continental Congress*, No. 42, III, folio 189.

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Ordered, That the said warrant be drawn.

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to Messrs. Caldwell & Co. for sundry medicine delivered William Smith, continental druggist, for the use of the United States, the sum of 666 60/90 dollars:

||*Ordered*, That the said account be paid.||

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, JULY 8, 1777

A letter, of the 7th, from General Washington, at Morristown; and one, of the 7, from Joseph Trumbull, Esq. were read.[1]

Resolved, That General Nash be directed immediately to repair with the North Carolina and Virginia forces now in and about Philadelphia, to Billingsport, there to remain till farther orders; and that these troops, with the militia from Pensylvania and New Jersey already ordered to that place, be employed in compleating the works for the defence of the river Delaware.[2]

Resolved, That Michael Hillegas, Esq. continental treasurer at Baltimore, be directed to forward, under a proper guard, 300,000 dollars to the State of North Carolina, being in part of the 500,000 dollars voted to that State the 5th day of February last.

Resolved, That the committee of the whole Congress be discharged from so much of the business referred to it,

[1] This letter is in the *Papers of the Continental Congress*, No. 152, IV, folio 327. That of Trumbull is in No. 78, XXII, folio 251.

[2] This resolution was passed in accordance with a request from the Council of Pennsylvania, dated July 3; in the *Papers of the Continental Congress*, No. 69, I, folio 375.

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as relates to the agreement entered into between B. Franklin and Silas Deane, Esqrs. in behalf of the United States, and the Chevalier du Portail, Mons. de Laumoy, Mons. de Gouvion, and Mons. la Radière.

The Committee on Foreign Applications brought in a report, which was taken into consideration; Whereupon,

Resolved, That Lieutenant Colonel Mottin de la Balme be appointed inspector general of the cavalry of the United States of America, with the rank and pay of colonel:

That Mons. Vallenais be appointed an aid to Mons. de la Balme, with the rank and pay of captain of cavalry.[1]

Resolved, That the treaty made by our commissioners in France, on the 13 day of February last, be confirmed as far as it respects the Chevalier du Portail, Mons. de la Radière, and Mons. de Gouvion; the first to be a colonel, the second to be a lieutenant colonel and the third a major of engineers.[2]

Congress resumed the consideration of the report of the Board of Treasury, of the 25 June; Whereupon,

Resolved, That Colonel George Morgan be authorized and directed to deliver so much of the provisions laid up in magazines at Fort Pitt, as he shall, from time to time, judge sufficient for the different garrisons in his department, always taking the commanding officer's receipt for such provisions; and that he make a reasonable allowance to a discreet person in each of the said garrisons to attend the issuing the said provisions, and to take every precaution in his power to prevent waste and fraud in issuing such provisions.[3]

[1]This report, in the writing of James Lovell, is in the *Papers of the Continental Congress*, No. 25, I, folio 11.

[2]The report on which this resolution was based, in the writing of James Lovell, is in the *Papers of the Continental Congress*, No. 19, II, folio 165.

[3]See note under June 27, 1777, *ante*.

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Resolved, That Major General Gates be directed to repair to head quarters, and follow the directions of General Washington.

The delegates from North Carolina laid before Congress a letter from Adam Boyd:[1]

Ordered, That it be referred to the Board of War, who are directed to take into consideration the case of the regimental armourers appointed for the North Carolina forces, and report thereon.

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to Lieutenant David Edwards, and Amos Willets, serjeant, for their expences and horse hire bringing Elihu Hand, a suspected person, prisoner from Cape May to Philadelphia, by order of General Arnold, the sum of 31 dollars:[2]

Ordered, That the said account be paid.

The Committee of Treasury reported,

That a warrant issue to Michael Hillegas, Esq. continental treasurer, in favour of Clement Holliday, Esq. pay master of the Maryland batallion of continental troops commanded by Colonel Richardson, for 10,000 dollars, for the use of the said batallion, and for which the said pay master is to be accountable.

Ordered, That such a warrant be drawn.

Resolved, That Robert Harrison, Esqr be appointed to muster the said batallion while employed in the service for which it is now destined; and that he be allowed a reasonable compensation for every muster which he shall perform:

That while the said batallion continues in such service Colonel Richardson shall certify the pay rolls of the sev-

[1] This letter is in the *Papers of the Continental Congress*, No. 78, II, folio 219.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 289.

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eral companies of the said batallion, and that his certificate shall be a sufficient voucher to the pay master.[1]

~~Resolved, That to morrow be assigned for taking into consideration the propriety of appointing a rear Admiral.~~

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow,

WEDNESDAY, JULY 9, 1777

A petition from John White, Charles Whittlesy, and Othniel Phelps, regimental quarter masters, was read:[2]

Ordered, That it be referred to the Board of War.

A letter, of the 7th, from R. L. Hooper, deputy quarter master general, and a letter of the 5, from Joseph Trumbull, Esq[r] were read:

Ordered, That they be referred to the Board of Treasury.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That the resolve of Congress, relative to the measures taken for the defence of Billingsport, be transmitted to the executive council of the State of Pensylvania, and that they be desired to go on with the assistance Congress have afforded them, to complete the works at that place, with all expedition, agreeable to the report of the committee referred to them by Congress, on the 11 June last.

Resolved, That 300 dollars be advanced to the secretary of the Board of War, for contingent expences, he to be accountable.[3]

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 287.

[2] This petition is in the *Papers of the Continental Congress*, No. 42, VIII, folio 161.

[3] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 249. The members of the Board present were, Benjamin Harrison, Roger Sherman, and William Duer.

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Resolved, That the cloathier general be directed to supply the Indians now in Philadelphia, with presents to the amount of 100 dollars.

Resolved, That the Secret Committee ~~of Commerce~~ be authorized and directed to unload and dispose of the three cargoes, which were shipped last spring, and are still in the river Delaware, and to place the amount of the sales to the credit of the United States.

Resolved, That the bills taken in the several States from the officers who are, or have been prisoners, in lieu of the subsistence money ordered to be advanced them by Congress, be transmitted to the Board of Treasury in Philadelphia, for the use of the United States.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, JULY 10, 1777

A petition from Joseph Belton, and a petition from Captain James [Joseph] Lees, were read:[1]

Ordered, That the petition of J. Belton be referred to the Board of War, and the petition of Captain Lees to the Marine Committee.

The Secret Committee laid before Congress a letter of the 8 June last, from John Dorsius, for self and Levinus Clarkson, and a bill of exchange, drawn by Alexander Ross on John Dorsius, in favour of Willing, Morris & Co.

Ordered, That the same be referred to the Board of Treasury, in order to bring in a report for paying the before mentioned bill here, and directing Mr. Dorsius to apply the amount of the said bill in discharge of the debts incurred in consequence of orders from the Secret Committee, and also to enable the agents of the Secret Com-

[1] The petition of Joseph Belton is in the *Papers of the Continental Congress*, No. 42, I, folio 137.

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mittee, in South Carolina, to receive all the money arising from the sale of the State lottery tickets in that State, towards discharging the debts aforesaid.

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due, to Seth Griffin, for riding express, from Bedford to New London, and from thence to Philadelphia and back, and for his expences &c during his detention here, the sum of 108 dollars:

That there is due to James M'Culloch, for riding express from Fort Henry to Pittsburg, 12 dollars:

That there is due to Mons. Lotbinier, a Canadian chaplain, for his pay and rations, from 10 June to 10 July, being one month, the sum of 41 30/90 dollars:

That there is due to Henry Baker, for provisions supplied continental troops at Winchester, in Virginia, and on their march, and for his services issuing the same, the sum of 4,848 69/90 dollars:[1]

Ordered, That the said accounts be paid.

The Committee on the Treasury reported:

Resolved, That the sum of 16,087 Dollars be advanced to Major Charles Simms of the 12th Virginia Regiment, commanded by Colonel William Russell, to pay off a part of the said Regiment now ordered on service to Billingsport, the said sum to be charged to the Regiment.

||*Ordered*,|| That 10,000 dollars be paid to Colonel Robert Lettis Hooper, or his order, on account of flour and beef purchased for the use of the army, agreeable to Commissary General Joseph Trumbull's bill in his favour, on the president of Congress, dated the 5 instant:

That 2,000 dollars be advanced to Colonel Armand de la Rouerie, for the recruiting service; for which he is to be accountable.[2]

Ordered, That such advances be made.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 293.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 291.

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Congress resolved itself into a committee of the whole, to take into consideration the contract made with Mons. du Coudray, and the several papers laid before Congress by the Committee on Foreign Applications; and, after some time, the president resumed the chair, and Mr. [Benjamin] Harrison reported, that the committee have had under consideration the papers to them referred, but, not having had time to come to a conclusion, desired leave to sit again.

Resolved, That Congress will to morrow resolve itself into a committee of the whole, to take into consideration the papers referred to them.

Ordered, That the several committees who have any letters or papers tending to throw light on the matter before the committee of the whole, lay the same before Congress to morrow, that they may be referred to the committee of the whole.

The delegates of North Carolina laid before Congress a resolution, passed by the senate and house of commons of that State, recommending to take into the pay of the continent the artillery company in that State:

Ordered, That it be referred to the Board of War.

The Board of Treasury reported: That the sum of 16,087 dollars be advanced to Major Charles Simms, of the 12 Virginia regiment, commanded by Colonel William Russell, to pay off a part of the said regiment, now ordered on service to Billingsport; the said sum to be charged to the said regiment.

Ordered, That the same be advanced.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

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FRIDAY, JULY 11, 1777

A letter, of the 10, from General Washington, at Morristown, and one, of the 9, from J[oseph] Trumbull, Esq[r] with a copy of a letter, of the 22 of June, from W. Aylett, were read.[1]

Congress resumed the consideration of the report of the Board of War, of the 16 June; Whereupon,

Resolved, That Mr. John Baynton, be appointed deputy pay master general to the troops and garrisons on the frontiers of Virginia and Pensylvania, and that such parts of his letter to the Board [of War,] as relate to money, be referred to the Board of Treasury.

Resolved, That an extract from General Washington's letter of the 10th, so far as it relates to General Arnold, be made out and sent to him, and that he be directed immediately to repair to head quarters, and follow the orders of General Washington.

Ordered, That the letter from General Washington, with the papers enclosed, be referred to the Board of War, and that they be directed to confer with the general officers in and near Philadelphia.

Congress resolved itself into a committee of the whole, to take into consideration ||the contract made with Monsieur du Coudray, and|| the papers referred to them; and, after some time, the president resumed the chair, and Mr. [Benjamin] Harrison reported, that the committee have had under consideration the papers referred to them. and have made some progress, but, not having had time to go through, desire leave to sit again.

[1] These letters are in the *Papers of the Continental Congress*, No. 152, IV, folios 335, 337. That of Washington is printed in the *Writings of Washington* (Ford), V, 472. That of Trumbull is in No. 78, XXII, folio 259, and that of Aylett on folio 261 of the same volume.

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Resolved, That Congress will to morrow at 11 o'Clock resolve itself into a committee of the whole, to take into consideration the papers referred to them.

A letter, of the 9, from General Washington, at Morristown; one, of the same date, from Joseph Trumbull, Esqr; and one, of the 10, from Charles Stewart, Esqr; one, of the 5, from General Schuyler, enclosing one of 30th June, and one of the 2 July, and one of the 3d, from General St. Clair, at Ticonderoga; and the proceedings of a court martial, on Serjeant Nicholas Kent, ||were read:||[1]

Ordered, That the letter from General Schuyler, with the papers enclosed, be referred to the Board of War.

Resolved, That a committee of three be appointed to proceed immediately to the army under the command of General Washington; that they be authorized and directed to make a diligent enquiry into the state of the army, particularly into the causes of the complaints in the commissary's department, and to make such provision as the exigency and importance of the case demands; that they report the whole of their proceedings for the consideration of Congress, with as much despatch as possible:

The members chosen, Mr. [Philip] Livingston, Mr. [Elbridge] Gerry, and Mr. [George] Clymer.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, JULY 12, 1777

New York attended at 11 o'clock.

New Jersey.

A petition from Monsieur du Coudray, was read:[2]

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 331; that of Trumbull, in No. 78, XXII, folio 255; that of Stewart, in No. 78, XX, folio 123, and that of Schuyler, in No. 153, III, folio 208.

[2] This petition is in the *Papers of the Continental Congress*, No. 156, folio 511.

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Ordered, That it be referred to the committee of the whole [Congress.]

A petition from Samuel Culbertson, was read:

Ordered, That it be referred to the Board of Treasury.[1]

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That the amount of Daniel Barry's account, for his services as an interpreter to sundry French officers, from North Carolina to Philadelphia, and for his expences here, and returning home, is £69 13 10, of which he received at Newbern £20, of Governor Henry, of Virginia, £10; that the balance due to him is £39 13 10, equal to 105 76/90ths dollars.[2]

Ordered, That the said accounts be paid.

The Committee on the Treasury brought in a report; Whereupon,

Resolved, That five hundred dollars be paid to Gerard W. Beekman, in discharge of General Washington's draught on William Palfrey, Esqr pay master general, in favour of Nathaniel Sacket, the said bill being transferred to the said Beekman, to be charged to William Palfrey, Esqr

That there be advanced to Jacob Blount, Esqr pay master of the North Carolina batallions, and to be delivered to William Blount, Esq. or his order, ten thousand dollars for the pay of the said batallions, and for which the said pay master is to be accountable; the same to issue by two warrants, one for 6,500 dollars and the other for 3,500 dollars:

That there be advanced to Dr. William Shippen, director general of the hospitals, 8,000 dollars, for which he is to be accountable:

[1] The report of the Board of Treasury, dated July 16, 1777, is in the *Papers of the Continental Congress*, No. 19, III, folio 333.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 295.

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That Alexander Ross's bill on John Dorsius, in favour of Willing, Morris & Co. dated Boston, June 24, for ten thousand dollars, be taken up by the Secret Committee on the credit of the said John Dorsius, who acts as agent of the said Secret Committee; and that a warrant issue from the president on the loan office of Massachusetts bay, for that sum in favour of the said Willing & Co. the Secret Committee to be charged therewith.[1]

Congress resolved itself into a committee of the whole, to take into consideration ||the contract made with Mons. du Coudray, and|| the papers referred to them; and, after some time spent thereon, the president resumed the chair, and Mr. [Benjamin] Harrison reported, that the committee have had under consideration the papers to them referred, and have come to certain resolutions thereon, which he was ordered to lay before Congress, but, not having had time to come to a conclusion, desired leave to sit again.

The report from the committee of the whole being read:

In a Committee of the whole, July 11, 1777.

Resolved, That it is the opinion of this Committee that Mr S. Deane had not any power or authority from Congress to make the treaty with Monsr Du Coudray and the other French gentlemen therein named, which was by Congress referred to this Committee and therefore that Congress are not by any means bound to fulfil the terms thereof.

July 12. *Resolved*, That it is the opinion of this Committee that the said agreement is inconsistent with the interest, honor and safety of these United States, and therefore ought not to be adopted.[2]

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 297.

[2] These resolutions, in the writing of Charles Thomson, are in the *Papers of the Continental Congress*, No. 19, II, folio 129. It is endorsed: "Report from the Com^ee of the Whole, reported 12 July, 1777. With several Motions respect^g Du Coudray's Contract." One of these motions, in the writing of [?], is as follows:

"And that the Command of Major General Du Coudray be at all Times and Places distinct and separate from the Command of Brigadier General Knox.

"That a copy of the Contract between Monsr du Coudray and Mr Deane, the Translation of Monsr Du Coudrays Memorial, the Report of the Committee of the

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Ordered, To lie on the table.

Resolved, That Congress will on Monday next resolve itself into a committee of the whole, to take into their farther consideration the papers referred to them.

A letter, of the 11 and 12, from General Arnold, was read.[1]

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That General Washington be informed that there are about 1,400 men at Philadelphia and Billingsport, ready to march at a moment's warning, but wait his orders; which he will be pleased, on receipt of the express, to transmit to General Nash:[2]

That it be strongly recommended to the governments of the state of New York, and the eastern states, to send such reinforcements of militia to the armies under General Washington, or General Schuyler, as shall be, from time to time, requested:[3]

Whole and the Report of the Committee appointed to consider what Proposals ought to be made to Monsr Du Coudray, be transmitted to Genl Washington, and that he be required to transmit to Congress his observations thereon and such Objections (if any) as may occur to him to said Report."

Another, in the writing of William Duer, is in the same volume, folio 139, as follows:

"*Resolved*, nevertheless, That in the opinion of this Committee Congress should ratify such Stipulations in the Agreement entered into betwixt Mr Silas Deane, and Monsr Du Coudray, as they shall deem not injurious to the Safety and Welfare of these States, and that they should offer to the said Monsr Du Coudray such Compensations for the Articles in the said Treaty, which their Duty to their Constituents constrains them not to ratify as they shall deem adequate to the Services which the said Monsr Du Coudray has rendered to the United States, and to the Merits of the respective Officers who have accompanied him."

Endorsed by Thomson, "Motion, not determined on."

[1] These letters are in the *Papers of the Continental Congress*, No. 162, folios 106, 108.

[2] The original report added: "and as Reinforcements are wanted in the Northern Department, that General Washington be desired to send as many Troops from the Grand Army to Windsor or further on, if he thinks proper. as they can be replaced by the Troops in this Quarter."

[3] The original form of this paragraph was: "That it be recommended to the State of New York and the Eastern States, to hold their militia in readiness to march at a moment's warning to repel any invasions of the Enemy."

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That Serjeant Nicholas Kent, condemned to be shot for desertion to the enemy, and recommended to the mercy of Congress by General Schuyler, and a number of other reputable persons, be, notwithstanding the atrociousness of his crime, pardoned; as there are peculiar circumstances of mitigation attending his case:

That Congress approve of the Indian commissioners purchasing Indian goods at Boston, as mentioned in General Schuyler's letter of the 5th, and that he be informed no supply of blankets or strouds can be sent him from hence:

That the Governor of the State of New Jersey be informed, that the Continental Troops now at Billingsport are under marching Orders to join General Washington, and that it be warmly recommended to him to comply with the former Requisition of Congress, to send 500 of the Militia of the State of New Jersey, to assist in compleating the Works at that place.

To lie

That the President and Supreme Executive Council of the State of Pennsilvania be informed, That the Continental Troops now at Billingsport are under marching Orders to join General Washington, and that it be earnestly recommended to them, to order such Reinforcements of their Militia to that post, as shall be judged necessary to compleat the works erecting there, with the utmost Dispatch.[1]

To lie

That a continental muster master be immediately ordered to muster the militia employed on the works at Billingsport:

Ordered, That the remainder of the report lie for farther consideration.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

[1] This report, dated July 12, is in the *Papers of the Continental Congress*, No. 147, I, folio 271. The members of the Board present were: John Adams, Benjamin Harrison, Samuel Adams, James Wilson, and William Duer.

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MONDAY, JULY 14, 1777

A letter, of the 12, from General Washington, at Pumpton Plains; one, of the same date, from General Sullivan, at Ramapaugh; and one from Alexander Spotswood, colonel of the 10 regiment of Virginia forces, were read:[1]

Ordered, That the letter from Colonel Spotswood, with the papers enclosed, be referred to the Board of War.

Resolved, That General Nash proceed immediately with the Virginia and North Carolina troops, together with Colonel Proctor's corps of artillery, to join General Washington.

Congress took into consideration the letter of the 11 and 12, from General Arnold; and, after debate,

Resolved, That it lie for farther consideration.

A letter, of this day, from General Arnold was read.[2]

Ordered, That the letter from General Washington, with the letters enclosed, be referred to the Committee of Intelligence, ~~who are directed to extract therefrom and publish such parts as they think proper,~~ and afterwards to the Board of War.

A letter from the Governor of Virginia, to the delegates of that State, was laid before Congress ||and read:||

Ordered, That it be referred to the Board of Treasury.

||*Ordered*,|| That the letter from General Sullivan be referred to the Board of War.

Resolved, That two months' pay be advanced to Mons. de la Balme, and to Mons. Vallenais, his aid, each to be accountable.

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 341.

[2] This letter is in the *Papers of the Continental Congress*, No. 162, folio 109.

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In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due for the pay of four companies of city guards, from the 2 June to 2 July instant, and to be paid to Colonel Lewis Nicola, the sum of 2,245 2/90 dollars.[1]

Ordered, That the said sum be accordingly paid.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

TUESDAY, JULY 15, 1777

A memorial from James Byers, and one, from Herman Zedwitz, and an application from Colonel Proctor, were read:[2]

Ordered, That the memorial from James Byers be referred to the Marine Committee, and the other two to the Board of War.

Ordered, That the Committee on the Treasury prepare and report to Congress, a draught of instructions to the pay master general and the deputy pay masters general of the respective departments for regulating the advances to be made to the recruiting officers of the batallions in the service of the United States.

Congress resolved itself into a committee of the whole, to take into consideration the contract made with Mons. du Coudray, and other papers ||referred to them;|| and, after some time spent thereon, the president resumed the chair, and Mr. [Benjamin] Harrison reported, that the committee have had under consideration the papers to them referred, but have come to no farther resolutions thereon.

[1]This report is in the *Papers of the Continental Congress*, No. 136, I, folio 299.

[2]The memorial of Proctor is in the *Papers of the Continental Congress*, No. 58, folio 285.

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Resolved, That a committee of three be appointed to confer with Mons. du Coudray; that they inform him, Congress cannot comply with the agreement he has entered into with Mr. Deane; but that sensible of the services he has rendered these States, and having a favorable opinion of his merit and abilities, they will cheerfully give him such rank and appointments as shall not be inconsistent with the honour and safety of these States, or interfere with the great duties they owe to their constituents.

Ordered, That the appointment of the committee be postponed till to morrow.

A plan of the works at Billingsport was laid before Congress:

Ordered, That it be referred to the Board of War.

The Committee of Treasury brought in a report: Whereupon,

Resolved, That there be paid to Matthew Irwin, agent to the commissary general of purchases, 50,000 dollars, in discharge of a bill drawn by him on the president of Congress, dated 27 June, towards supplies for the army, the said commissary general to be accountable:

That there be advanced to Captain William Beall, of the 6 Maryland regiment, commanded by Colonel Otho Williams, 400 dollars, for the use of a detachment of the said regiment, now on their march to join the army, and for which the said regiment is to be charged:

That there be advanced to Major General Arnold, two thousand seven hundred dollars, for which he is to be accountable:

That there be advanced to Mr. John Baynton, deputy pay master general for the troops on the western frontiers, 15,000 dollars, for the pay of the said troops, and for which he is to be accountable:

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That there be advanced to Captain Jacob Weaver, of an independent company of foot, raised in Pensylvania for the continental service, and stationed at Lancaster, the sum of 2,000 dollars, for which he is to be accountable.[1]

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, JULY 16, 1777

Congress proceeded to the election of a committee to confer with Mons. du Coudray, and, the ballots being taken, the following gentlemen were elected:

Mr. [Thomas] Heyward, Mr. J[ohn] Adams, and Mr. [James] Lovell.

The Marine Committee brought in a report, which was taken into consideration; Whereupon,

Resolved, That the pay and subsistence of surgeons in the navy, be equal to the pay and subsistence of the lieutenants of the vessels to which they shall respectively belong.

Resolved, That the Marine Committee be empowered to fit out two fire ships at the continental expence.

Congress took into consideration the report of the Board of War of the 23 June last;[2] Whereupon,

Resolved, That, for carrying into execution the resolve respecting Colonel Nicola's corps of invalids, the following plan, for raising one company, be adopted for raising the whole of the said corps:

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 301.

[2] The members of the Board present were: John Adams, Charles Carroll, Francis Lightfoot Lee, Samuel Adams, Roger Sherman, and James Wilson.

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1. That the director general of the continental hospital be desired to give directions to the Physicians and surgeons, in the different departments at a reasonable distance from Philadelphia, that, before they discharge any serjeants, corporals, or private men from the hospitals as unfit for service, they consider, whether such men are actually, or likely soon to be, capable of doing garrison duty; and, if thought so, to mention it in the discharge, that they may not be entirely discharged from the service, but transferred from the regiment to which they actually belong, to that of invalids; and that in case such men are at a distance from their respective regiments, that the director or steward of each hospital send such men to Philadelphia, in the best manner circumstances will admit:

2. That notice be sent, by the Board of War, to the generals commanding the armies, of the raising a corps of invalids, and that they be desired to give orders to the officers commanding regiments, that, in case they have any serjeants, corporals, drummers, or private men, deemed incapable of doing field duty, such men should be examined by the director of the hospital or some other physician or surgeon, and, if judged fit for garrison duty, that they be not discharged, but transferred to the invalid corps, and sent to Philadelphia as soon as possible.

Men having only one leg or one arm each, if otherwise capable of doing garrison duty, are to be deemed proper recruits for this corps.

3. That the following advertisement be published in the several newspapers as soon as possible, viz.

"War-Office, June, 1777: The Congress, being desirous to make provision for such men as suffer in the military service of the United States, have directed a regiment of invalids to be immediately raised for the reception of such as have already been, or may, in future, be rendered, by wounds or disorders, incapable of doing field duty, but

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are yet fit for garrison service. Notice is hereby given, that all persons in Philadelphia, or within twenty miles round, who are under continental half-pay, on account of incapacities contracted in the service, must, within fifteen days, repair to Philadelphia and shew themselves to Colonel Nicola, in Front street, four doors below the Coffee house, that, if judged capable of duty, they may be put on full pay. All other persons, who have served in the armies of the United States, within the above description, though not on half-pay, may present themselves, and, if judged capable, they will be immediately received. All such as are above twenty miles from Philadelphia must apply to the nearest continental general, field officer, physician or surgeon, who are desired to forward such as they judge fit for the corps of invalids. Officers who, from wounds or disorders contracted in the service, are rendered unfit for field duty, must signify their pretensions, with certificates from continental physicians or surgeons to the Board of War. As this corps is intended, not only as a provision for disabled officers and soldiers, but as a school for propagating military knowledge and discipline, no officers need apply but such as produce ample certificates of their having served with reputation, and having supported good characters, both as citizens and soldiers. Officers and soldiers who have engaged during the war will be preferred."

Resolved, That Enoch Welsh be appointed an ensign in the corps of invalids.[1]

Resolved, That 880 dollars be advanced to Captain Matthews, who is under orders to go to Virginia on the recruiting service, and charged to the 4th batallion of Virginia forces, commanded by Lieutenant Colonel Lawson.

A letter, of the 15, from President M'Kinley, ||of the state of Delaware,|| was read.[2]

The Committee on the Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That there be advanced to Colonel Benjamin Flower, commissary general of military stores, 20,000 dollars, for which he is to be accountable:

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 237.
[2] This letter is in the *Papers of the Continental Congress*, No. 70, folio 619.

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That there be advanced to Mr. Anthony Butler, agent to Major General Mifflin, quarter master general, 100,000 dollars, agreeable to the quarter master general's draught on the president of Congress, dated the 10 instant, and, for which money, the quarter master general is to be accountable:

That there be advanced to the president and supreme executive council of the commonwealth of Pensylvania, on their application for that purpose, 60,000 dollars, for which the said commonwealth is to be accountable.[1]

The Board of War, to whom the plan of the works at Billingsport was referred, brought in a report, which was taken into consideration; Whereupon,

Resolved, That Mons. du Coudray's plan of the 14 instant, of the fort at Billingsport, be approved of and immediately carried into execution.[2]

A letter, of the 14, from General Washington, at Vanauler's, eight miles from Pumpton Plains; and one, of the 6, from Richard Varick, deputy muster master general in the northern department, with sundry muster rolls, were read:[3]

Ordered, That the latter be referred to the Board of War.

Ordered, That the Board of War lay before Congress as soon as possible a list of the foreign officers in the service of the United States, with an account of the rela-

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 303. The last paragraph is in the writing of James Duane.

[2] This report, prepared by John Adams, Francis Lightfoot Lee, Samuel Adams, William Duer, and James Wilson, is in the *Papers of the Continental Congress*, No. 147, I, folio 275. It also contained the following:

"That such of the Regimental Chaplains [of the North Carolina Brigade, as incline to return home have leave so to do, and be discharged the Service. And those of the said Chaplains who] as choose to stay in the Service, be continued with their Regiments under their present pay and Appointments."

[3] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 347.

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tive rank they held in the armies of the king of France, or other European power, and the rank they now hold.

A memorial from Monsieur du Portail and other engineers, together with observations on the treaty made with them ~~and Mr. S. Deane~~ in France, were read.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, JULY 17, 1777

A letter, of 16, from General Washington, from the camp, near the Clove, and of this date from Monsieur du Coudray, were read.[1]

The committee appointed to confer with Monsieur du Coudray, reported verbally, that they have executed that business, and communicated to him the resolution of Congress:

Ordered, That the said committee take into consideration, the situation of Monsieur du Coudray, and report what proposals, in their opinion, it will be proper for Congress to make him:

Resolved, That two more members be added to the said committee:

The members chosen, Mr. [Robert] Morris and Mr. [James] Wilson.

A memorial from the committee of the trustees of the college of New Jersey, was read:[2]

Ordered, That it be referred to the Board of War.

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 351.

[2] This memorial, dated Princeton, July 15, and signed by John Witherspoon, Elihu Spencer, and Richard Stockton, is in the *Papers of the Continental Congress*, No. 41, VII, folio 6.

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Monsieur du Coudray, having applied by a letter to the president for the articles of agreement entered into between him and Mr. Deane, and the bundle of original papers referred to in his account, which he delivered to the Committee on Foreign Applications, and which were by them laid before Congress:

Ordered, That the said papers be delivered to him by Mr. [James] Lovell, one of the members of the Committee for Foreign Applications.

Ordered, That a letter be sent to the executive powers of the States that are not represented in Congress, informing them, that the confederation of the States, and several other important matters, are put off for want of a full representation of all the States; and that it be earnestly recommended to them, to send a sufficient number of members to represent them as soon as possible.

Congress took into consideration the memorial of Monsieur du Portail, and the other engineers; and, thereupon,

Resolved, That the prayer of the said memorial, for a rank higher than that agreed on in the treaty made between them and Messrs. Franklin and Deane, at Paris, be not complied with.

Ordered, That the Board of Treasury examine the accounts of the said engineers, and report a draught of money in their favour.

A memorial from Baron Holtzendorf, together with a treaty made with him by Mr. S. Deane, Esqr at Paris, the 25 November, 1776, were laid before Congress and read,[1] and, the same being taken into consideration, it was, thereupon,

Resolved, That the said treaty be agreed to so far only as to make the said Baron Holtzendorf, a lieutenant col-

[1] This memorial is in the *Papers of the Continental Congress*, No. 78, XI, folio 191.

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onel in the service of the United States, and that his pay commence from the date of the said agreement.

The Committee on the Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That in lieu of the advance ordered on the 12 instant to be made to Dr. William Shippen, director general of the hospitals, an order be drawn on the loan officer of Connecticut, in his favour, for 8,000 dollars, for which the said Dr. Shippen is to be accountable.[1]

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to Captain Jacob Fauns, [Fantz] of Lieutenant Colonel John Lawrence's batallion of the flying camp, for subsistence of the recruits of his company while recruiting, from the 27 August, to 20th September, 1776, the sum of 56 37/90 dollars:

That there is due to James Aitken, his pay and rations as chaplain to the 4th North Carolina regiment, from the 1 July to the 14 August, being one month and an half, at 41 1/3d dollars per month; also, an allowance of 2 dollars per day for 30 days, allowed him for his expences returning to North Carolina, the sum of 122 dollars:[2]

Ordered, That the said accounts be paid.

Congress took into consideration the report of the Board of War of the 2d and 3d instant;[3] Whereupon,

Referred to the Committee of Commerce

The Board taking into their Consideration the great scarcity of Salt and the large quantities that will be necessary for the supply of the Army, the improbability that too much can be imported, and the Certainty that what may not be wanted for the use of the Army will be very acceptable and may very well be disposed of to the good people of these States, beg leave to recommend to Congress, That the Commissary General be immediately

[1] This report is in the *Papers of the Continental Congress*, No. 136, I. folio 305.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 307.

[3] The members of the Board present on July 2 were: John Adams, Francis Lightfoot Lee, and George Clymer. On the 3d: John Adams, Samuel Adams, Charles Carroll, Francis Lightfoot Lee, George Clymer, James Wilson, and William Duer.

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directed to take the earliest and most effectual measures for importing into different parts of this Continent, large Quantities of Salt for the Use of the Army.[1]

Resolved, That General Spencer be informed, in answer to his letter of the 20th May, that Congress confirm the appointment made by him of William Peck, Esqr deputy adjutant general to the militia and State troops of Rhode Island, kept in continental pay; that, for money to pay the said troops, he is to make application to Ebenezer Hancock, Esqr at Boston, deputy pay master general to the troops in the eastern department; and that, as the quarter master general has the appointment of all his deputies, application is to be made to him for the appointment of a deputy quarter master general.

To lie

That a Foundery be established at Springfield, in the Massachusetts Bay for the Casting of Brass Field Pieces, Howitz and Mortars.

That Colonel Harrison's Regiment of Artillery remain in Virginia and be under the Command and Direction of the Governor and Council of that Commonwealth, until the farther Orders of Congress.[2]

That Congress approve of General Schuyler's conduct as to Captain Whitcomb's corps of rangers, and that 3,066 2/3d dollars, the sum the general has paid over the usual bounty allowed by Congress, be charged to the State of Massachusetts bay; and that the corps be considered as part of their quota of continental troops:

That Congress approve and ratify General Schuyler's engagements, to the men draughted out of the regiments at Ticonderoga, to act as artillery men:

To lie

That all Vacancies happening in the Army of the United States by Death or otherwise be filled up by Congress, and that the General Officers commanding in the several Departments be directed to send regular Information to Congress of all Vacancies as they happen together with a List of such Officers as stand next in the Line of promotion.

[1] See below, p. 562. [2] This paragraph was struck out.

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That a Copy of that part of General Schuyler's Letter relative to the Resolves of Congress regulating the Commissary's Department be given to the Secretary of Congress with Directions to furnish General Schuyler with Copies of those Resolutions of Congress and all others required by him in the said Letter.

Agreed

That General Schuyler be directed to inform the French gentlemen mentioned in his letter of the 25 June last, that Congress will promote them, when they receive authentic intelligence of their meriting promotion by some signal services; and that, in the mean time, General Schuyler be empowered to grant them such pay as he shall think they respectively deserve, not exceeding that of a captain.[1]

Ordered, That in consideration of the scarcity of salt, and the quantity necessary for the supply of the army, the Committee of Commerce take the most effectual and speedy measures for importing, into different parts of this Continent, large quantities of that article, and that the commissary general of purchases be informed of this order.

Congress took into consideration a report of the Board of War, of the [June 4] respecting the rank of officers in the service of the United States:

Ordered, That a copy of the said report be transmitted to General Washington, who is desired to peruse the same, and give his sentiments thereon and objections, if he has any, to Congress.[2]

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 247.
[2] See under June 5, 1777, *ante*.

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FRIDAY, JULY 18, 1777

A petition from John Riorden, of the island of Sancta Croix, who came from thence to Philadelphia in a flag of truce, was read, praying for leave to go to New York, to obtain from Admiral Howe a permit to sail with his vessel:[1]

Ordered, That leave be granted him by the Board of War, he giving them his parole in the manner by them prescribed.

A letter, of the 29 June, from W. Aylett, Esqr at Williamsburgh, was read:[2]

Ordered, That the president inform Mr. Aylett, that Congress approve of his giving Colonel Braxton the price he agreed with him for the 3,000 barrels of flour.

A letter and memorial from Mons. du Coudray were read:[3]

Ordered, To lie on the table.

Resolved, That three gentlemen, not members of Congress, be appointed to conduct the business of the Board of War, under the direction of the present board:

That Tuesday next be assigned for appointing the said gentlemen.

A petition from James Le Mare was read:

Ordered, That the same, together with the papers accompanying, be referred to the Committee of Commerce.

Resolved, That the case of persons applying for leave to go to New York, be referred to the Board of War, who are directed to take such precautions, and lay those to whom they shall think fit to grant liberty under such

[1] This petition is in the *Papers of the Continental Congress*, No. 42, VI, folio 415.

[2] This letter is in the *Papers of the Continental Congress*, No. 78, I, folio 99.

[3] These papers are in the *Papers of the Continental Congress*, No. 156, folios 497 and 501.

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restrictions as they judge proper to prevent their giving intelligence to the enemy.

The several matters &c. ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

SATURDAY, JULY 19, 1777

A letter, of the 16, from General Washington, at the Clove, and one, of the 11, from General Spencer, at Providence, were read, giving an account of the capture of Major General Prescot:[1]

Ordered, That they be referred to the Committee of Intelligence.

A letter, of the 18, from Colonel Proctor,[2] with a list of the officers of his corps, was read, requesting, as the said corps is transferred by the supreme executive council of Pensylvania, and taken into the service of the Continent, that continental commissions and warrants be granted to the officers, in lieu of the commissions formerly issued to them from the council of safety of the said State:

Resolved, That commissions and warrants be granted to the said officers, and that they bear the same date as those issued to them by the State.

Resolved, That 1,749 50/90 dollars be advanced to Captain James Henry, of the 5 Maryland regiment, commanded by Colonel Richardson, for the use of the said regiment, and that the same be charged to the account of the said regiment.

Resolved, That an order issue to Major General Putnam to cause, without delay, a return to be made to the Board of War of the troops under his command.

[1]The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 355. That of Spencer is in No. 78, XX, folio 129.

[2]This letter is in the *Papers of the Continental Congress*, No. 58, folio 287.

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Resolved, That it be referred to the Board of War, to take into consideration the services performed by Lieutenant Colonel Meigs, and Lieutenant Colonel Barton, and the troops under their command, and report what marks of honour it will be proper to bestow upon them for their gallant exploits and meritorious services.

Ordered, That the report of the committee appointed to enquire into the conduct of the enemy, with the affidavits annexed, be published in a pamphlet, and that 4,000 copies in English, and 2,000 in German, be struck off and distributed through the several States.

Ordered, That the committee aforesaid continue their enquiries, and, in case they come to the knowledge of other facts well attested before the said publication is made, that they annex them to the said pamphlet by way of appendix.

The Committee on Foreign Applications brought in a report, which was taken into consideration; and, after debate, the determination thereof, at the request of the State of New York, was postponed to Monday next.

The Board of War reported, "That they have examined into the matter set forth in the deposition of Thomas M'Arthur, relative to the purchase of horses by a certain Davis, and although it appears from Davis's confession, that the facts, as to taking receipts for more than the sums actually paid, are true, yet, whatever might have been intended by the said Davis, who was of opinion that the horses were intended for the public, it does not appear that Davis was authorized to purchase the said horses for the use of the United States, [nor were the horses ever delivered to any person employed in the service of these States."][1]

Resolved, That 1,600 dollars be advanced to Mr. Thomas

[1] Words in brackets were added by John Hancock.

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Butler, public armourer, for the use of his department, [he to be accountable.]

The Board of War brought in a further report, which was taken into consideration; Whereupon,

Resolved, That the memorial of a committee of the trustees of the college of New Jersey, ||which was committed to the Board of War,|| be referred to the quarter master general, [and that he be directed immediately to give such orders, on the premises, as may, for the future, prevent any just cause of complaint.]

||*Resolved*,|| That the petition of Thomas [Joseph] Belton be dismissed.

That for the future, the Regimental Quarter Masters in the Army of the United States, be allowed to hold the Rank and Commissions of Ensigns; the first Vacancies of these Offices in the respective Regiments, to be given to the Several Quarter Masters.

To lie

That William Meyer, a Surgeon in one of the Hessian Regiments, be allowed according to his request, to take the Oath of Allegiance to the State of Pennsylvania, wherein, or in some other of the American States, he be permitted to reside and enjoy all the Privileges of a free Subject, and not to be exchangeable as a Prisoner.

To lie

To lie That the Petition of Harman Zedtwitz, be dismissed.[1]

Resolved, That the farther consideration of the report be postponed.

Congress took into consideration the report of the Board of War of the 10 instant; Whereupon,

That an Expedition be undertaken against Pensacola and Mobille in West Florida, to facilitate which, that Colonel George Morgan be sent to New Orleans with Power to negotiate with the Governor of

[1] This report was prepared on the morning and afternoon of July 18, and is in the *Papers of the Continental Congress*, No. 147, I, folio 277. The following members were present in the morning meeting of the Board: John Adams, Benjamin Harrison, Samuel Adams, Francis Lightfoot Lee, and James Wilson; in the afternoon, the two Adams's and Lee.

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that Place, and endeavour to gain his Interest and assistance in the Business; and, that, one thousand Men will be necessary for this Service, and the Command of the Expedition be given to General Hand.

Resolved, That the artillery company in the State of North Carolina, be taken into the pay and service of the Continent, as part of the quota of the troops to be raised by that State, and be ordered to march and join General Washington.[1]

Ordered, That the remainder of this report lie for further consideration.

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to William M'Creigh and Richard Gornell, two deserters from the enemy, for their two muskets, amounting to 28 dollars, delivered to Colonel Moylan, at Woodbridge, of whom they received one dollar, the sum of 27 dollars:[2]

Ordered, That the said account be paid.

The Committee on the Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That there be advanced to Captain Eichelberger, of one of the 16 batallions and commanded by Colonel Hartley, the sum of 800 dollars, to be charged to the said batallion:

That a warrant be drawn by the president on the deputy pay master general in the southern department, in favour of Major Seth John Cuthbert, for 4,000 dollars, to be charged to the State of Georgia:

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 251. With it are the "Plan proposed for an Expedition against West Florida" and "Memoranda" submitted to Major General Arnold by George Morgan, June 28, 1777, and a letter from Arnold dated July 5. The members of the Board present on the 10th were: John Adams, Benjamin Harrison, James Wilson, George Clymer, Samuel Adams, and William Duer.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 313.

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That a warrant be drawn on John Gibson, Esqr in favour of Colonel John White, for 15,000 dollars, for the use of his regiment, to be charged to the State of Georgia:

That a warrant be drawn on John Gibson, Esqr in favour of William Blount, Esqr acting pay master to the North Carolina brigade, for 5,000 dollars, to be charged to Jacob Blount, Esqr pay master to the North Carolina troops:

That a warrant be drawn on John Gibson, Esqr in favour of the delegates of Georgia, for 2,200 dollars, to be charged to the said State:

That there be advanced to Augustus Mottin de la Balme, 307 45/90ths dollars, being for two months' advance pay, as inspector of cavalry, and for a horse:

That 220 dollars be advanced to Captain Vallainais, aid to Mons. de la Balme, for two months' advance pay, and for a horse:

That a warrant be drawn by the president, on the commissioner of the loan office in the State of Massachusetts bay, in favour of the delegates of South Carolina, for 100,000 dollars, to be charged to the State of South Carolina.[1]

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock on Monday.

MONDAY, JULY 21, 1777

Mr. [Nathaniel] Folsom, from New Hampshire, and Mr. [Samuel] Chase, from Maryland, attended, ||and took their seats.||

A letter from Colonel [Francis] Johns[t]on, Colonel Humpton, and Brodhead, and the other field officers

[1] These items are based upon two reports, dated July 18 and 19, in the *Papers of the Continental Congress*, No. 136, I, folios 309, 311.

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of the said batallions of Pensylvania forces, was read, recommending Dr. Jones to be brigade chaplain to those three batallions.[1]

The committee appointed to consider what proposals ought to be made to Mons. du Coudray, brought in a report, which was taken into consideration; and after debate,

The Committee appointed to consider what Proposals ought to be made to Monsr Du Coudray, report,

That Monsr Du Coudray be appointed a Major General with the Powers, Emoluments and Privileges, annexed to that Rank, and that a Train of Artillery be allotted for his Command separate from that under the Command of Brigadier General Knox.

That the officers accompanying Monsr Du Coudray should have the Ranks proposed for them in France together with the Pay and Emoluments annexed to those Ranks in the service of the United States.

That Dollars be paid to Monsr Du Coudray as a full Compensation for his serious Loss of time and Risque of his person in a troublesome and dangerous Voyage to America.[2]

Resolved, That the farther consideration thereof be postponed till to morrow.

A letter, of the 18, from General Washington, enclosing a copy of a letter, of the 14, to him from General Schuyler, at Fort Edward, also, a letter of the 14th from General St. Clair, at Fort Edward, with a copy of the proceedings of a council of war for evacuating Ticonderoga and Mount Independence, were read:[3]

Ordered, That the letter from General St. Clair, with the paper enclosed, be referred for publication to the Committee of Intelligence; and, then, that the same, together

[1] This letter is in the *Papers of the Continental Congress*, No. 78, XIII, folio 51.

[2] This report, in the writing of Thomas Heyward, is in the *Papers of the Continental Congress*, No. 19, II, folio 137. It is endorsed by Hancock, "Postponed to Tuesday."

[3] This letter, with enclosures, is in the *Papers of the Continental Congress*, No. 152, IV, folio 361.

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with the letter from General Washington and the papers enclosed, be referred to the Board of War.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

TUESDAY, JULY 22, 1777

Mr. Henry Laurens, from South Carolina, and Mr. Cornelius Harnett from North Carolina, attended and took their seats.

A letter, of the 20th, from Brigadier Forman; one, of the 11th, from Governor Henry; one, of the 15, from Brigadier Conway and the field officers of his brigade; one, of the 18, from Alexander [Allen] M'Donald of Kingsborrow; one, without date, from William Edmeston, major of the 48 regiment, and sundry other officers, prisoners at Reading; and one, of the 8, from Brigadier R. Howe, were read:[1]

Ordered, That the letters from Alexander M'Donald and from the prisoners at Reading, and that from Brigadier R. Howe, be referred to the Board of War:

That the letter from Governor Henry be referred to the Board of Treasury, and that Colonel W. Finnie, lay his accounts before the said Board, who are to proceed to the liquidation and settlement of the said accounts.

A letter, of the 5, from Dr. W. Rickman to Mr. [Benjamin] Harrison, was laid before Congress and read:[2]

Ordered, That it be referred to the Medical Committee.

[1] The letters of Conway and the field officers are in the *Papers of the Continental Congress*, No. 59, folio 449; that of McDonald, in No. 78, XV, folio 231; and that of Howe, in No. 160, folio 360.

[2] This letter is in the *Papers of the Continental Congress*, No. 78, XIX, folio 97.

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The Board of War brought in a report, which was taken into consideration; and after debate,

That Gen[l] Washington be empowered to Negotiate an Exchange of Prisoners with Gen[l] Howe for such Prisoners as are now in Captivity not having any respect to the present Dispute, relative to the Privates who died upon the Road before they reached the place of their Destination, which for the present is to be suspended, and that such Exchange be made without any Exception of Lieut Colonel Campbell or the Hessian Field Officers, General Prescott to be treated in the manner pointed out by the Resolves relative to Lieut. Colonel Campbell and the said Field Officers.[1]

Resolved, That the farther consideration thereof be postponed till to morrow.

The order of the day, for appointing three gentlemen to conduct the business of the Board of War, was read:

Ordered, That the appointment of the said gentlemen be postponed till Tuesday next.

Congress resumed the consideration of the report of the Committee on Foreign Applications; Whereupon,

Resolved, That the Chevalier du Portail, now colonel of engineers, take rank and command of all engineers heretofore appointed.[2]

The Committee on the Treasury brought in a report, which was taken into consideration: Whereupon,

Resolved, That there be advanced to Mons. du Coudray 2,666 2/3d dollars, for the support of himself and the gentlemen who came with him from France; for which Mons. du Coudray is to be accountable:

That a warrant issue to the treasurer to transmit, from

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 281. It was prepared by John Adams, James Wilson, and William Duer. It is endorsed: "Referred to 23d. Passed in the negative, 4 ayes, 6 noes, one divided."

[2] The report originally read: "should receive a Commission as Colonel in Chief of Engineers." It is in the writing of James Lovell, and is in the *Papers of the Continental Congress*, No. 25, I, folio 16.

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Maryland to the auditor general, one million of dollars, for which the auditor general is to be accountable:

That a warrant issue on the auditor general in favour of the Board of War, for 200,000 dollars, to be transmitted to the deputy pay master general for the use of the northern department, for which the said deputy pay master general is to be accountable.

That a warrant issue on the commissioner of the loan office for the State of Pensylvania, for 50,000 dollars, in favour of the auditor general, for which he is to be accountable:

That there be advanced to Colonel Augustus Mottin de la Balme, inspector general of cavalry, claimed for his and Monsieur Ricault's expences to America, in the service of the United States, 736 dollars, for which Colonel de la Balme is to be accountable.[1]

The several matters &c. ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, JULY 23, 1777

A letter, of this day, from Captain Thomas Dorsey, was read:[2]

Ordered, That it be referred to the Board of War.

Resolved, That the committee appointed to contract for the casting of cannon, be directed to deliver to the Board of War and Ordnance, all the contracts they have made, together with an account of the advances made and cannon received in consequence of such contracts; and that then they be discharged from proceeding farther in that business, and that the Board of War and Ordnance be

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 315.

[2] This letter is in the *Papers of the Continental Congress*, No. 78, VII, folio 109.

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vested with the powers granted to the aforesaid committee, and that they be directed to attend to the execution of the said contracts, and to take such measures as they shall judge proper and effectual for procuring a sufficient supply of cannon for the land and sea service, and that the Marine Committee apply to the said Board for such cannon as they may want for the continental ships of war, under their direction.

The Marine Committee having laid before Congress a petition[1] from sundry lieutenants of the navy, which had been some time under the consideration of the said committee, and represented, that before any determination was had thereon, a number of the said lieutenants refused to proceed in the execution of their duty, until what they call their grievances should be redressed, as more fully appears by a paper now produced to Congress, dated 21 July, directed to John Barry, Esqr. senior commander of the navy in the port of Philadelphia, and signed by twelve of the said lieutenants, viz. Robert French, Robert Martin, Robert Hume, John Fanning, Matthew Tibbs, George Batson, Luke Matthewman, William Gamble, Thomas Vaughn, Joseph Greenway, R. Pomeroy, James Armitage; and whereas such combinations of officers to extort increase of pay and allowances from the public, are of the most dangerous tendency, it is necessary for the public service to make examples of such offenders; therefore,

Resolved, That the said Robert French, Robert Martin, Robert Hume, John Fanning, Matthew Tibbs, George Batson, Luke Matthewman, William Gamble, Thomas Vaughn, Joseph Greenway, R. Pomeroy, and James Armitage, be dismissed the continental service, and they are hereby severally dismissed accordingly, and their commissions rendered void and of none effect.

[1] This petition is in the *Papers of the Continental Congress*, No. 42, IV, folio 116.

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Resolved, That the said Robert French, Robert Martin, Robert Hume, John Fanning, Matthew Tibbs, George Batson, Luke Matthewman, William Gamble, Thomas Vaughn, Joseph Greenway, R. Pomeroy, and James Armitage, be, and they are hereby, rendered incapable of holding any commission or warrant under the authority of the United States, and that it be recommended to the several States not to employ any of them in any office civil or military.[1]

The Committee on the Treasury brought in a report, which was taken into consideration: Whereupon, Congress came to the following resolutions:

Whereas, no continental general officer is at present stationed in or near the commonwealth of Virginia, which prevents the issuing of money for the public service out of the military chest in the southern department: Therefore,

Resolved, That Colonel David Mason be authorized to draw warrants upon the deputy pay master general of the said department, for public services, arising in the said commonwealth, until a general officer be stationed there, always specifying in such warrants the particular uses for which the money so drawn shall be intended or applied for.

Resolved, That there be advanced to Colonel Lewis du Portail, Chevalier D'Erford, the sum of 375 dollars; to Lieutenant Colonel la Radière Bailleul, 300 dollars; and to Major Gouvion Obry, the sum of 250 dollars; for which sums they are respectively to be accountable.[2]

Resolved, That the Secret Committee be empowered to contract with bakers to bake into bisket, for the use of the army, the flour which they were ordered to sell:

That the commissary general of purchases be directed to have the flour stored at Yorktown, Lancaster, Down-

[1] In margin is written, "Ordered to be published."

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 317.

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ingstown, and Valley Forge, in Pensylvania, which is in danger of perishing, baked into bisket for the use of the army.

A letter, of the 19, from General Greene,

Ordered, To lie on the table.

A letter of the same date, from Joseph Trumbull, was read:[1]

Ordered, That it lie until the Committee sent to the camp return and make report.

Christopher Ludwig, superintendent of bakers, being sent by General Washington to Philadelphia to procure a number of journeymen bakers; and it being represented by him that he cannot be supplied, by reason that they are most of them engaged in the militia,

Ordered, That Mr. Ludwig apply to the supreme executive council of the State of Pensylvania, and that it be recommended to the said council to furnish him with such a number of journeymen bakers, out of the militia employed in the service of the Continent, as he may want.

Ordered, That the letter from General Washington to the Baron d'Arendt be referred to the Committee on Foreign Affairs ||Applications.||

The Marine Committee brought in a report.

Ordered, To lie ||on the table|| till to morrow.

The Board of War brought in a report, which was read:

That General Robert Howe's appointment of Mr Henry Purcell to be deputy Judge Advocate General for the States of South Carolina and Georgia, be confirmed by Congress.

That General Robert Howe's appointment of Mr Nicholas Eveleigh, to be Deputy Adjutant General for the States of South Carolina and Georgia be confirmed by Congress.[2]

[1] The letter of Greene is in the *Papers of the Continental Congress*, No. 155, I, folio 39. That of Trumbull is in No. 78, XXII, folio 265.

[2] A copy of this report is in the *Papers of the Continental Congress*, No. 147, I, folio 283. It was passed February 17, 1778.

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Ordered, That the consideration thereof be postponed till to morrow.

Treasury Office Philad.: July 23d. 1777

The Committee on the Treasury beg leave according to order to Report the following Instructions to the Pay Master General and Deputy Pay Masters of the respective departments, for regulating the advance of the Bounties to the New Levies raising for the Continental battalions.

Instructions to the Pay Master General and Deputy Pay Masters Generals of the respective Departments for regulating the Advance of Bounties to the Officers appointed to Recruit, for the Battalions in the Continental service.

1 The Pay Master General and the Deputy Pay Master General are directed to advance to any Officer appointed for the Recruiting service within his department and who shall produce his recruiting orders, the bounty money and subsistence allowed by Congress for Ten Levies, and the sum so advanced shall be endorsed by the Pay Master on the recruiting Orders.

2 No further advance shall be made until the Officer who has received the Bounty Money for ten Levies shall have produced to such Paymaster, the Muster Master's Certificate or the Certificate of the Officer appointed to superintend the recruiting service in the Department, or for the Regiment to which he belongs, or a Certificate from some civil Magistrate before whom the said Levies shall have been attested, that he has recruited a Number of Men equal to the Bounty advanced him, such certificate specifying the times of the respective Enlistments, and then he shall be entitled to receive a further supply of Money, for the Bounty and subsistence of Ten more Levies, and having accounted for the same in the Manner before directed to a further such supply from time to time as long as he shall continue in the recruiting service.

3 These advances of Bounty Money shall be from time to time made by the Paymaster General, or respective Deputy Pay Masters General of the Department, without warrant, and the Officers Receipt shall be his sufficient Voucher.

4 The Pay Master General or Deputy Pay Masters General who shall make such advances shall from time to time transmit an account thereof to the Regimental Pay Masters that the Money may be regularly charged.[1]

[1] "Ordered to lie." This report is in the *Papers of the Continental Congress*, No. 136, I, folio 319.

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The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

THURSDAY, JULY 24, 1777

Maryland attended 10 m. after 12 o'Clock

A letter, of 22, from General Washington, at the Clove, was read:[1]

Ordered, That a copy of the same be sent to the supreme executive council of Pensylvania.

A petition of Thomas Vaughan was read, wherein he declares, that he did not sign the paper addressed to John Barry, Esqr.[2]

Ordered, That it be referred to the Marine Committee.

A petition of Joseph Philbrick was read:[3]

Ordered, That the same, together with the papers enclosed, and therein referred to, be referred to the Board of Treasury.

Ordered, That the letter from General Washington be referred to the Board of War, and that they be directed to confer with the executive powers of Pensylvania, and take immediate and effectual measures to carry into execution the views and wishes of the General.

Mr. [Philip] Livingston, one of the committee sent to camp, being returned, laid before Congress a letter from General Washington to the said committee, which was read.

Ordered, That the same be referred to the Board of War.

[1] This letter is in the *Papers of the Continental Congress*, No. 152, IV, folio 377. It is printed in *Writings of Washington* (Ford), V, 502. Another, to the committee at camp, dated the 19th, was read on this day, and is on folio 369. It is printed (Ford), V, 493. It was referred to the Board of War.

[2] This petition is in the *Papers of the Continental Congress*, No. 42, VIII, folio 25.

[3] This petition is in the *Papers of the Continental Congress*, No. 42, VI, folio 166.

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A letter, of the 23, from Brigadier Forman, was read, informing, that the enemy's fleet sailed yesterday morning from the Hook.[1]

Congress took into consideration the report from the Board of War of the 10; and, after debate,

Resolved, That the farther consideration thereof be postponed till to morrow.

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to William Smith, copperplate printer, for printing loan office certificates at Baltimore, from the 16 Nov. 1776, to 17 July, 1777, and for sundries he supplied for the use thereof, the sum of 23 59/90 dollars: it being the ballance of his account amounting to 388 89/90 dollars; of which he has received of Michael Hillegas, Esqr 365 30/90, the balance is 23 59/90 dollars.

That there is due to Christopher Ludwig, superintendent of bakers, for sundry expences incurred in said service, and for his pay for three months, ending the 3 of July, the sum of 737 36/90 dollars:[2]

Ordered, That the same be paid.

A petition from Thomas Bramall, was read:[3]

Ordered, That it be referred to the Board of War.

A petition from Robert Towers was read.

Ordered, That it be referred to the Board of Treasury.

A petition from Luke Matthewman and the other lieutenants of the navy, who were yesterday dismissed the service, and a letter from John Nelson to the Marine Committee, were read:[4]

Ordered, That the same be referred to the Marine Committee.

[1] This letter is in the *Papers of the Continental Congress*, No. 78, IX, folio 103.
[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 321.
[3] This petition is in the *Papers of the Continental Congress*, No. 42, I, folio 141.
[4] This petition is in the *Papers of the Continental Congress*, No. 42, IV, folio 146.

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A petition from the Chevalier de la Radière was read:[1]

Ordered, To lie on the table.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

FRIDAY, JULY 25, 1777

A letter, of the 19, from Brigadier P. Muhlenberg; one, of the 2d, from council of Massachusetts bay, and an application from the general assembly of the State of New Hampshire, for a sum of money to redeem the bills issued by that State, were read:[2]

Ordered, That the application from the general assembly of New Hampshire be referred to the Board of Treasury.

Congress resumed the consideration of the report of the Board of War; and, after debate,

Resolved, That the farther consideration thereof be postponed.

Resolved, That a committee of five be appointed to take into consideration the state of Georgia:

The members chosen, Mr. [Henry] Laurens, Mr. [George] Walton, Mr. [Benjamin] Harrison, Mr. [James] Wilson and Mr. S[amuel] Adams.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That Congress have a just sense of the merit of Lieutenant Colonel Meigs, and the officers and men

[1] A petition, in French and in English, signed Le Chev. de Ladevèze, is in the *Papers of the Continental Congress*, No. 42, IV, folio 150. It was read on this day, and ordered to lie on the table.

[2] The letter from Muhlenberg is in the *Papers of the Continental Congress*, No. 163, folio 506; that from Massachusetts, in No. 65, I, folio 199; and that from New Hampshire, is printed in *New Hampshire State Papers*, VIII, 588.

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under his command, who distinguished their prudence, activity, enterprize and valour, in the late expedition to Long Island; and that an elegant sword be provided by the commissary general of military stores, and presented to Lieutenant Colonel Meigs:

Resolved, That Congress have a just sense of the gallant behaviour of Lieutenant Colonel Barton, of a militia regiment of the State of Rhode Island and Providence Plantations, and the brave officers and men of his party, who distinguished their valour and address in making prisoners of Major General Prescot, of the British army, and Major William Barrington, his aid-de-camp; and that an elegant sword be provided by the commissary general of military stores, and presented to Lieutenant Colonel Barton.

Resolved, That the Board of War be empowered to contract with proper persons to supply the army with beer, cyder, vegetables, soap, vinegar and sour-crout; and that they be directed to advertise, in the several papers, that all persons whom it may suit to supply the army with those articles, may make their proposals to the Board.

Resolved, That General Washington be empowered to increase the ration of soap according to his discretion:

That so much of General Washington's letter as relates to an auditor's attending the army to settle and adjust accounts before warrants are drawn for payment, be referred to the Board of Treasury:

That General Washington be empowered to appoint Mr. Robert Erskine, or any other person that he may think proper, geographer and surveyor of the roads, to take sketches of the country, the seat of war, and to have the procuring, governing and paying the guides employed under him; the General to affix the pay of the said geographer, &c. and the allowance that shall be made to the guides.

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Resolved, That that part of the report respecting a supply of cloathing be re-committed, and that the remainder of the report lie for farther consideration.[1]

To Ho

That General Washington be supplied with a portable Printing Press by the Quarter Master General, the said Press to be entirely under the General's Directions.[2]

The Marine Committee having represented that the extravagant prices now demanded for all kinds of materials used in ship-building, and the enormous wages required by tradesmen and labourers, render the building of the ships of war already ordered by Congress not only excessively expensive, but also difficult to be accomplished at this time, and that it appears, by information lately received, that some of the frigates have been set on the stocks in improper places; Whereupon,

Resolved, That the Marine Committee be empowered to put a stop to the building of such of the continental ships of war already ordered by this Congress to be built, as they shall judge proper, and to resume the building of them again when they shall find it consistent with the interest of the United States so to do.

Congress took into consideration a report of the Marine Committee, on an application of sundry commanders in the navy; Whereupon,

Resolved, That the commanders of continental vessels of war of ten guns and upwards, be allowed 5 1/3d dollars per week, for subsistence whilst in domestick or foreign ports:

[1] This paragraph read: "That it be recommended to the Legislatures, or in their recess, to the Executive Powers of each State, that they use their utmost Endeavours to procure Supplies of Cloathing, particularly Shoes, Stockings, Shirts and Blankets for the Regiments raised in their respective States."

[2] This report, dated July 25, is in the *Papers of the Continental Congress*, No. 147, I, folio 288. The members of the Board present were: John Adams, James Wilson, Samuel Adams, William Duer and Francis Lightfoot Lee.

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That commanders of vessels under ten guns be allowed 4 dollars per week for subsistence whilst in domestic or foreign ports:

That commanders of continental vessels of war of ten guns and upwards, be allowed, whilst at sea, 2 2/3ds dollars per week for cabin expences:

That lieutenants, surgeons, captains of marines and chaplains, be allowed 4 dollars per week subsistence in domestic ports, during such time as the ships they respectively belong to are not in condition to receive them on board:

That the Marine Committee be empowered to allow such cabin furniture for continental vessels of war as they shall judge proper:

That when agents for the United States, or any persons in authority under them, put passengers on board any continental vessel of war, they shall lay in the necessary stores for their accommodation, to prevent expence and inconvenience to the commanders.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

SATURDAY, JULY 26, 1777

A letter, of the 25, from General Washington, enclosing a copy of a letter to General Howe, proposing an exchange of Major General Prescot for General Lee; and a copy of a letter, of the 22d, from General Schuyler; and one of the 24, from President M'Kinley, were read:[1]

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 397. It is printed in *Writings of Washington* (Ford), V, 575. The letter of McKinley is in No. 70, folio 623.

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Ordered, That so much of General Washington's letter as relates to the calling out militia, be sent to the executive powers of Pensylvania and Delaware:

That the letter from General Washington to General Howe be published.

A letter, of this day, from Colonel Proctor of the artillery, was read:[1] Whereupon,

Resolved, That an order be drawn on John Gibson, Esqr. for 3,096 dollars, in favour of Matthew M'Guire, pay master to Colonel Proctor's regiment, for the use of the said regiment, he to be accountable.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock on Monday.

MONDAY, JULY 28, 1777

A letter, of the 25, from General Washington, enclosing one of the 22, from William Franklin, in Litchfield gaol, Connecticut; also a letter, without date, from General Washington, [at the] Cross Roads, sixteen miles from Morristown; one, of the 17th, from the council of safety of New York, at Kingston, with resolutions passed by the said council; and a letter of the 27, from Mons. du Coudray, were read.[2]

Congress took into consideration the letter of the 25, from General Washington, and that from W. Franklin, desiring leave to go into New York to attend to his wife, who is in a declining state of health: Whereupon,

Resolved, That a certified copy of the certificate granted by William Franklin, Esqr. whilst under a parole, to Robert

[1] This letter is in the *Papers of the Continental Congress*, No. 58, folio 281.

[2] The letter of the 25th is in the *Papers of the Continental Congress*, No. 152, IV, folio 381. The undated letter was written on the 27th, and is in folio 403. That of the 25th is printed in *Writings of Washington* (Sparks), V, 6. The letter from New York is in No. 67, II, folios 59, 63. That of Du Coudray is in No. 156, folio 519.

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Betts, be transmitted to General Washington, and that he be desired to inform Mr. W. Franklin, that, Congress, after such a violation of so sacred a tie as that of honor, cannot think it consistent with the safety of the States, to permit him to have an opportunity of conferring with our open enemies under any restrictions whatsoever.

Resolved, That the Board of War be empowered to purchase such powder and military stores offered for sale in any of these States, as they may judge necessary for the public service.

Resolved, That the Marine Committee be empowered and directed to provide and get ready, with all possible expedition, ten fire ships, to be under the command of the commodore commanding in the river Delaware.

The Marine Committee, to whom ||was referred|| the petition of the lieutenants of the ships of war now in the port of Philadelphia, reported, "That they have called in, before them, the signers of the said petition; that they acknowledged, in the most explicit manner, that the offence for which they were dismissed is highly reprehensible, and could not be justified under any circumstances or on any pretence whatever, and that they were exceeding sorry for the rashness which betrayed them into such behaviour:" Whereupon,

Resolved, That the said lieutenants be restored to their former rank and command.

Resolved, That it be recommended to the executive council of the State of Pensylvania, to call out 4,000 of the militia, in addition to those already called forth; and, as their service is immediately wanted, that they call forth such as can be soonest collected.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

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TUESDAY, JULY 29, 1777

A letter, of the 28, from Joseph Trumbull, Esqr was read:

Ordered, That it be referred to the Board of Treasury.

Ordered, That the letters of the 15 and 23, [24] from J. M'Kinley, president of Delaware, be referred to the Board of War.

Resolved, That an enquiry be made into the reasons of the evacuation of Ticonderoga and Mount Independence, and into the conduct of the general officers who were in the northern department at the time of the evacuation:

That a committee be appointed to digest and report the mode of conducting the enquiry.

A letter, of the 12th, of P. Philips, at Providence, was read, wherein he informs [Congress,] that his infirm state of health obliges him to decline the office of commissary of hides, with which Congress had honoured him:[1] ||Whereupon:||

Resolved, That his resignation be accepted.

At a Board of War, 29th July, 1777

Present: Mr John Adams, Mr S. Adams, Mr Wilson and Mr Clymer.

Agreed to Report to Congress:

That Lieut David Zeigler, of Colonel Chamber's Regiment, who was wounded at Long Island, and is incapable of doing Field Duty, be appointed a Captain in the Corps of Invalids, the relative Rank of the Officers of the said Corps to be hereafter settled.[2]

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

[1] This letter is in the *Papers of the Continental Congress*, No. 78, XVIII, folio 187.

[2] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 295.

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WEDNESDAY, JULY 30, 1777

A petition from Lieutenant Colonel ~~Calvin Smith~~ Jotham Loring, was read; setting forth, that, in the Danbury expedition in which he was principally engaged, he had a horse killed, and praying that another horse may be granted to him to make up his loss:[1]

Ordered, That it be referred to the Board of War.

The governor of Virginia having represented that Robert Smith and Alexander Telfair, two of the gentlemen appointed to audit and settle the accounts of Virginia against the United States, have declined acting:

Resolved, That Whitmill Hill and Eaton Haynes, esqrs. be appointed in their room, and that they, and Wyllie Jones, Esqr or any two of them, be empowered to act.

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That the account of William Finnie, deputy quarter master general, for sundries furnished for the use of the quarter master general's department, amounts to 170,331 35/90 dollars; that he has received from B. Harrison, Esqr deputy pay master general, 154,543 78/90 dollars, and for sundry disabled horses, wooden tents, and goods sold by him, 10,277 50/90 dollars; and that there is a balance due to him amounting to 5,509 87/90 dollars. That agreeable to the opinion of the Treasury Board there be allowed to him for extra services in the purchasing cloathing and necessaries, for issuing them and disposing of such articles as were unfit for their use, the sum of 1,000 dollars, making in the whole 6,509 87/90 dollars: Whereupon,

Resolved, That there be paid to Colonel William Finnie, deputy quarter master general for the southern de-

[1] This petition, dated Fort Constitution, July 1, is in the *Papers of the Continental Congress*, No. 42, IV, folio 138.

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partment, 6,509 87/90 dollars. being the balance of his accounts with the United States, as settled by the commissioners of accounts at the treasury office, under the direction of the Committee of the Treasury, and that the said committee be authorized to discharge the said deputy quarter master general upon the said accounts accordingly.[1]

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general farther reports,

That there is due to Robert Jewell, for subsisting prisoners in the new gaol, for fire-wood, candles, &c. and for his and his two assistants' pay, from the 17 June to the 22 July, the sum of 752 83/90 dollars:[2]

||*Ordered*, That the said account be paid.||

The Committee of Treasury brought in a report, which was read; Whereupon,

Resolved, That there be paid to George Clymer, Esq[r] 130 40/90 dollars, for his and Mr. [Richard] Stockton's expences as a committee of Congress to Ticonderoga, between the 27 September and 20 November:

That there be advanced to Colonel Lewis Nicola, of the batallion of invalids, 500 dollars, for the use of the said batallion, for which he is to be accountable.[3]

To lie

Resolved, That the Commissioners of Accounts be instructed to allow Dollars for every Horse belonging to the Cavalry, in settling the accounts.

Resolved, That there be allowed to the officers of the cavalry, 2 2/3ds dollars for their trouble and expence in recruiting every non-commissioned officer and private, and purchasing each horse.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 323. The last paragraph is in the writing of James Duane.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 329.

[3] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 327.

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Resolved, That a warrant be drawn on the managers of the lottery for forty-five thousand dollars, in favour of the auditor general, for which he is to be accountable.

Resolved, That there be paid to Lewis Casimir de Holtzendorf, retained by Mr. Deane as a lieutenant colonel in the service of the United States, for eight months' pay and rations, commencing the 20th November, and ending the 20th July, (deducting 900 livres which Mr. Deane advanced him,) the sum of 439 40/90 dollars.

Resolved, That there be advanced to the said Lieutenant Colonel de Holtzendorf the further sum of 120 dollars, for two months' pay, commencing the 20th inst.[1]

The Marine Committee, to whom a petition from Mary Giddens was referred, brought in a report, ||which was read;||[2] Whereupon,

Resolved, That the sum of two hundred dollars be paid to Mary Giddens, widow of John Giddens, a petty officer, killed on board the *Alfred*, in the engagement with the *Glasgow* man of war, she being entitled to this sum out of the prize money taken by the squadron during Commodore Hopkins's cruize, the cannon and military stores applied to continental use being part of the said prize goods, of which no valuation has been obtained.

Whereas, the States of New Jersey, Pensylvania and Delaware are in danger of an immediate invasion from the enemy's army, a powerful fleet being daily expected within the capes of Delaware, and there is the strongest reason to suppose that the enemy will endeavour to secure, without delay, all the cattle, horses, and teams, which are exposed to the water, in order to subsist their army and facilitate their military operations; and whereas, the preventing of this measure is not only highly conducive to

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 325.

[2] This petition is in the *Papers of the Continental Congress*, No. 42, III, folio 179.

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the general weal, but will ultimately tend to secure the property of the good people of these States from cruel ravages:

Resolved, That it be recommended to the executive powers of the States of Pensylvania, New Jersey, and Delaware, to cause the horses, waggons, carts, cattle, and other live stock contiguous to the bay and river Delaware, to be removed into the interior parts of the country, whenever the arrival of the enemy's forces at the capes shall announce the necessity and propriety of such a measure.

Resolved, That all continental officers, and officers of militia in continental pay, in the said States, do afford the said executive powers such aid and assistance, in performing this service, as they may require.

A memorial from Bryan Lefferty was read:[1]

Ordered, That so much of the said memorial as relates to an extension of the limits in his parole, be referred to the Board of War, and that the remainder be referred to the Board of Treasury.

The Committee of Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That there be paid to Colonel Moses Hazen 1,497 57/90 dollars, for the pay of the field officers and four companies, of which his batallion then consisted, from the 18th of June to the 1st of November:

Resolved, That there be paid to Isaac Guion, Esqr pay master to the 9th batallion of continental troops raised in North Carolina, on account of the pay of the said batallion, 2,500 dollars, for which he is to be accountable:

Resolved, That there be paid to Isaac Guion, agent for John Spicer, pay master of the 2d batallion of continental troops raised in North Carolina, on account of the pay of

[1] This memorial is in the *Papers of the Continental Congress*, No. 41, V, folio 189.

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the said batallion, 3,500 dollars, for which the said pay master is to be accountable:

Resolved, That there be paid to Isaac Guion, agent for James Spicer, pay master of the 5th batallion of continental troops raised in North Carolina, on account of pay for that batallion, 5,000 dollars, the said pay master to be accountable:

Resolved, That there be paid to Richard Bradley, pay master to the 1st batallion of continental troops raised in North Carolina, commanded by Colonel Thomas Clarke, for one month's pay of the said batallion, 2,000 dollars, the said pay master to be accountable:

Resolved, That a warrant be drawn on the continental treasurer at Baltimore, in favour of Stephen Stewart, for the use of the Secret Committee, 10,666 2/3ds dollars, and to be charged to the Secret Committee:

Resolved, That 40,000 dollars be paid to Cornelius Sweers, deputy commissary of military stores, and that the same be charged to Colonel Flower, the commissary general of military stores:

The committee appointed to take into consideration the state of Georgia, brought in a report, which was read.

Ordered, To lie ||on the table|| for consideration.

~~Congress resumed the consideration of the subject under debate yesterday, and thereupon~~

Resolved, That Major General St. Clair, who commanded at Ticonderoga and Mount Independence, be, and he is hereby directed forthwith to repair to head quarters.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

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THURSDAY, JULY 31, 1777

A letter, of the 30th, from General Washington at Coryell's Ferry; one, of the 30th, from Brigadier Cæsar Rodney, at Dover; and a copy of one, of the said date, from H. Fisher, at Lewistown, advising that the enemy's fleet appeared in the offing, about four leagues from the light-house, were read.[1]

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That it be recommended to the supreme executive council of the State of Pensylvania, forthwith to make prisoners, such of the late crown and proprietary officers, and other persons in, and near this city,[2] as are disaffected, or may be dangerous to the public liberty, and send them back into the country, there to be confined, or enlarged upon parole, as their characters and behaviour may require:

That it be recommended to the said executive council to remove, under guard, all the state prisoners in the gaol of this city, to some safe place back in the country, and that they cause the guards to be doubled until the prisoners can be removed:

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 409; that of Rodney, in No. 78, XIX, folio 101.

[2] This phrase read in the original report: "in this City, who shall refuse to take the Oath of Allegiance to the State." Thomson then inserted the words "and all other dangerous persons in and near this City," and the words "Or Affirmation" after "oath." A slip, in the writing of James Wilson, reads: "all the late Crown Officers and others in and near this City, as are disaffected or may be dangerous to the public Liberty." Hancock altered it to "such of the Crown Officers" &c., and inserted "Persons" after "others." Thomson has also noted the following: "all the late crown officers and all other persons suspected and thot dangerous." The members of the Board present were, John Adams, Samuel Adams, James Wilson, and George Clymer. The report is in the *Papers of the Continental Congress*, No. 147, I, folio 299.

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That it be recommended to the said executive council, immediately to order two companies of militia to strengthen the guard over the prisoners at Lancaster, and also two companies of militia to guard the prisoners at York town.

That one hundred thousand dollars be advanced to the supreme executive council of the State of Pensylvania for public service, the said State to be accountable.[1]

Resolved, That the militia of the States of New Jersey, Pensylvania, Delaware and Maryland be immediately called out, to repel any invasion of the enemy in the said States.[2]

Resolved, That 80,000 dollars be advanced to the continental Navy Board ||in Pensylvania,|| for public service, they to be accountable.

Resolved, That the continental Navy Board be empowered and directed to take such measures as they judge necessary and expedient, for securing the continental vessels that cannot be employed in the defence of the river, and also for securing the continental property afloat on the river.

Whereas, the marquis de la Fayette, out of his great zeal to the cause of liberty, in which the United States are engaged, has left his family and connexions, and, at his own expence, come over to offer his service to the United States, without pension or particular allowance, and is anxious to risque his life in our cause:

[1] A letter from the Council of Pennsylvania, July 31, asking for a grant of one hundred thousand dollars, is in the *Papers of the Continental Congress*, No. 69, I, folio 379.

[2] This paragraph was reported by the Board of War July 28, present, John Adams, Samuel Adams, William Duer, and James Wilson. A second paragraph read:

"That it be recommended to the Executive Power of the State of Pennsilvania to be careful in discovering and preventing any Plotts or Conspiracies in their State, if any such there be; and that they cause all Crown Officers and other suspected Persons, and more especially those in the City of Philadelphia and its vicinity, to be put under oath or Parole, or secured if Occasion require." See a paragraph printed under this day, p. 591 *ante*.

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Resolved, That his service be accepted, and that, in consideration of his zeal, illustrious family and connexions, he have the rank and commission of major general in the army of the United States.

A letter, of this day, from Colonel S. Moylan; one, of the 25, from General Washington, introducing a Mons. d'Avaux [Avout] to the notice of Congress; one, of the 8th, from Governor Henry; one, of the 27, from Colonel G. Gibson, at Alexandria; one, of the 28, from J. M'Kinley, president of Delaware; and a letter and memorial from Dr. J. Morgan, were read:[1]

Ordered, That the letters from president M'Kinley, Brigadier Rodney, Governor Henry, and Colonel Gibson, be referred to the Board of War; that the letter of the 25 from General Washington, with the papers enclosed, be referred to the Committee on Foreign Applications; and that the memorial of Dr. Morgan be referred to the Medical Committee.

Congress took into consideration the report of the Board of War of the 24 July; Whereupon,

Resolved, That it be recommended to the executive authorities of each of the United States, to divide their respective States into districts, and to appoint a proper person in each district to recruit men to fill up the regiments raised in such State; that they take good security of the persons so appointed, for the faithful discharge of his duty, and rendering just accounts of all public monies, that shall come to his hands; and that they allow, for each able bodied recruit so raised, who shall inlist for 3 years, or during the war, the sum of 8 dollars, in full for his

[1] The letter from Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 413; that of Henry, in No. 71, I, folio 123; that of McKinley, in No. 70, folio 627; the letter of Morgan, in No. 63, folio 113; and the memorial in No. 41, VI, folio 19.

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trouble and expence; that, [where no provision for securing deserters has already been made by the laws of the State,][1] they give to each person so appointed, full power to take up and secure all deserters that shall come within their respective districts, and where force is necessary for this purpose, that they direct the officers of the militia to give such assistance as shall be required; that they allow him the sum of 5 dollars for every deserter so taken up and secured, in full for his trouble and expence therein; and, for the encouragement of men to enter the service, that they shall have liberty, at the time of their inlistment, to make choice of the regiment, troop or company in which they will serve, provided such regiment, troop or company is not full; if it is, they may chuse any other regiment, troop or company which is not full, which shall be entered against their names and returned to the officer appointed to receive such recruits, who shall, at the time they are sent to join their corps, transmit the same to the general, or commanding officer.

To lie

That the Executive authority of each of the States have full power to order the Continental Commissary, if any within their State, to furnish the Recruits raised therein with Provisions, and where there are none, to employ such Person or Persons, as they shall think proper for that purpose.[2]

Resolved, That it be recommended to the executive authorities of each of the United States, to appoint convenient places of rendezvous in their respective States, for receiving recruits and deserters, and that they transmit to General Washington, with as much expedition as pos-

[1] These words are inserted by Charles Thomson. In the margin he wrote: "Part left relative to the States ordering Recruits to be supplied with Provisions."

[2] This report, dated July 24, P. M., is in the *Papers of the Continental Congress*, No. 147, I, folio 285. The members of the Board present were: John Adams, Samuel Adams, Francis Lightfoot Lee, William Duer, and Benjamin Harrison. The balance of the report, giving swords to Meigs and Barton, is printed under July 25, 1777, *ante*.

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sible, the names of such places of rendezvous, in order that proper officers may be sent to receive recruits and deserters.

Resolved, That General Washington be directed to order all continental officers, now absent from their corps, forthwith to join them, except only such as the general shall think necessary to receive recruits and march them to the army.

Ordered, That the two first articles in the requisition of Mons. du Coudray, of the 27 July, be referred to the Board of War.

AT A BOARD OF WAR, *31st July, P M. 1777*

Present, Mr John Adams, Mr Lee, Mr S. Adams, Mr Wilson and Mr Clymer.

Agreed to Report to Congress:

That Governor Henry's Letter of the 8th Instant be referred to the Treasury Board.

That Bryan Lefferty's Petition be dismissed, and he ordered to the Place of his Residence on Parole.[1]

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

FRIDAY, AUGUST 1, 1777

A letter, of the 31 July, from General Washington, at Coryell's Ferry; one, of the 8 April last, from S. Deane, Esqr., at Paris, recommending the viscomte Mourreu; one, of the 30 July, from Brigadier J. Dagworthy; and a memorial from Colonel Hazen; were read.[2]

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 301.

[2] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 429; that of Dagworthy, in No. 78, VII, folio 105. A transcript of Deane's letter is in No. 103, folio 78 [Department of State].

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~~Ordered, That the memorial from Colonel Hazen be referred to the Board of Treasury.~~

Resolved, That a committee of three be appointed to examine the letters that have passed between the Committee of Secret Correspondence and Mr. Deane, and report thereon ||to Congress,|| and that the said Committee meet at the office of the Committee of Foreign Affairs:

The members chosen, Mr. S[amuel] Adams, Mr. [James] Wilson, and Mr. [Henry] Laurens.

A letter from the Baron de Kalb, was read:

Ordered, That it be referred to the Committee of Foreign Applications.

Congress resumed the consideration of the subject under consideration on Wednesday last ||of affairs in the northern departments;|| Whereupon,

Resolved, That Major General Schuyler be directed to repair to head quarters:

That General Washington be directed to order such general officer as he shall think proper, immediately to repair to the northern department, to relieve Major General Schuyler in his command there:

That Brigadier Poor, Brigadier Patterson, and Brigadier Roche de Fermoy, be directed to repair to head quarters.

Resolved, That the committee to be appointed to digest and report the mode of conducting the enquiry into the reasons of the evacuation of Ticonderoga and Fort Independence, and into the conduct of the officers who were in the northern department at the time of the evacuation, consist of five:

The members chosen, Mr. [Henry] Laurens, Mr. J[ohn] Adams, Mr. [Eliphalet] Dyer, Mr. [Daniel] Roberdeau, and Mr. [Nathaniel] Folsom.

Congress took into consideration the report of the committee on the state of Georgia; Whereupon,

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Resolved, That one million of dollars be immediately struck and emitted under the direction of the Treasury Board, for the purpose of redeeming the certificates and bills of credit, issued by the State of Georgia, for the use of the United States, and for supporting the continental forces in that State; that four hundred thousand of the said dollars be sent to the government of the said State, for sinking or redeeming the said certificates or bills of credit; that a deputy pay master general be appointed in the said State of Georgia, and the remaining six hundred thousand dollars be sent to him for the use of the continental forces:

That the quarter master general be directed to appoint a deputy quarter master general in the said State, and that he be directed to use his utmost endeavours to procure tents and other essential articles, for the use of the troops there, without delay:

That the cloathier general be directed to appoint an agent in the said State, for the purpose of supplying the troops there with cloaths: that the Committee of Commerce be directed to order a supply of cloathing and other necessary articles for the use of the troops in the said State:

That a deputy commissary general of purchases, and a deputy commissary general of issues of provisions be appointed in the said State:

~~That Brigadier General McIntosh be directed to join the grand Army under General Washington.~~

That Brigadier Howe be directed to order a brigadier to relieve Brigadier M'Intosh in his command in Georgia, and that he assign some other command to the said Brigadier M'Intosh:

That the commanding officer in the said State, for the time being, be directed, if he shall think it proper, to

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establish a post in the southern part of the said State, at the most convenient and healthy situation:

N. B. The Title of General may be struck off to the several Offices.

That three persons be appointed in the State of South Carolina, to audit and settle the public accounts in Georgia, and that the auditor general be directed to acquaint them with the method adopted for settling public accounts:[1]

Ordered, That to morrow be assigned for nominating, and Monday next, for appointing, the officers ||mentioned|| in the foregoing resolves.

~~A petition from William West, Jun., major~~

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

SATURDAY, AUGUST 2, 1777

A letter, of this day, from Charles Stewart and William Buchanan, was read.[2]

A memorial from Isaac Jones, in behalf of himself and the owners, marines and mariners of the private sloop of war called the *Retaliation*, was read:

Ordered, That it be referred to the Committee of Appeals.

A letter, of this day, from Joseph Trumbull, at Philadelphia, was read, desiring ~~among other things~~ that he may have leave to resign his commission of commissary general of purchases; and informing Congress, that he cannot consider himself as obliged to hold the office he now acts in, longer than the 20th of this month.[3]

[1]This report, in the writing of George Walton, is in the *Papers of the Continental Congress*, No. 20, II, folio 425.

[2]This letter is in the *Papers of the Continental Congress*, No. 78, XX, folio 133.

[3]This letter is in the *Papers of the Continental Congress*, No. 78, XXII, folio 279.

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Resolved, That all proceedings of Congress, and all questions agitated and determined by Congress, be entered on the journal, and that the yeas or nays of each member, if required by any State, be taken on every question as stated and determined by the house.

Resolved, That Monday next be assigned for appointing officers in the commissary's department.

Resolved, That a committee of five be appointed to take into consideration the state of the northern department:

The members chosen, Mr. [Henry] Laurens, Mr. [James] Wilson, Mr. J[ohn] Adams, Mr. [James] Duane and Mr. [Richard] Law.

Ordered, That the committee confer with General Washington, and report as soon as possible.

A letter, of the 2, from J. M'Kinley, president of Delaware, was read:[1]

Ordered, That it be referred to the Board of War.

Resolved, That an order for one hundred thousand dollars be drawn on John Lawrence, Esq. commissioner of the loan office in the state of Connecticut, in favour of Joseph Trumbull, Esq. for the public service, he to be accountable.

A letter, of the 28 July, from Governor Trumbull, of Connecticut, was read:

Ordered, That it be referred to the Committee on the Northern Department.

The Committee for Foreign Affairs laid before Congress sundry letters, which were read.[2]

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

[1]This letter is in the *Papers of the Continental Congress*, No. 70, folio 631.

[2]See under August 3, 1777, *post*.

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SUNDAY, AUGUST 3, 1777

A letter, of the 24 July, from General Schuyler, at Moses Creek, 4 miles below Fort Edward; one, of the 27 of the same month, from Major General A. St. Clair, at the same place, were read.[1]

The Committee on the State of the Northern Department brought in a report, which was taken into consideration;

Resolved, That General Washington be directed to order the general whom he shall judge proper to relieve General Schuyler in his command, to repair, with all possible expedition, to the northern department, giving him directions what numbers of the militia to call in from the States of New Hampshire, Massachusetts bay, Connecticut, New York, New Jersey and Pensylvania:

That notice be immediately sent to the executive powers of the said States, and that they be earnestly requested to get the militia in those parts of their respective States most contiguous to the northern department, ready to march at a moment's warning, and to send, with all possible expedition, such parts of them as the general commanding in the northern department shall require, to serve till the 15 of November, if not sooner relieved by continental troops, or dismissed by the commanding officer of the department, and be entitled to continental pay and rations:

That the commanding officer in the northern department have discretionary power to make requisitions on the States aforesaid, from time to time, for such additional numbers of the militia, to serve in that department, as he shall judge necessary for the public service.

[1] The letter of Schuyler is in the *Papers of the Continental Congress*, No. 153, III, folio 226; that of St. Clair is in No. 161, folio 509.

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Whereas, it is represented to Congress, that General Washington is of opinion, that the immediate recal of all the brigadiers from the northern department may be productive of inconvenience to the public service:

Resolved, That the order of Congress, of the first day of this month, respecting the said brigadiers, be suspended until General Washington shall judge it may be carried into effect with safety.

Resolved, That the letter from B. Franklin and S. Deane to Lord Stormont, and the depositions therein referred to, which were among the papers read yesterday, be published:

That the Committee for Foreign Affairs be directed extract, and lay before Congress, to morrow, such other parts of the said letters and papers as they judge proper for publication.

||The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.||

MONDAY, AUGUST 4, 1777

A letter, of the 3d, from General Washington, was read:[1]

Ordered, That the same be taken into consideration at one o'Clock.

A letter, of the 23 July, from William Sever, Esq. president of the council of Massachusetts bay, with a list of the troops raised by that State; one, of the 26, from Elisha Avery, in which he begs leave to decline accepting the office of deputy commissary general of issues; one, of this day, from R. Bache; a memoir from Mons. du

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 431. It is printed in *Writings of Washington* (Ford), VI, 3.

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Coudray; a memorial from Christopher Ludwig; and a letter, of the 25 July, from Brigadier de Roche Fermoy, at Fort Edward, were read:[1]

Ordered, That so much of the letter from the council of Massachusetts bay, as relates to money, be referred to the Board of Treasury, that the remainder be referred to the Board of War; that the letter from Mr. Bache be referred to the Board of Treasury; that the memoir from Mons. du Coudray, the memorial from Christopher Ludwig, and the letter from Brigadier de Roche Fermoy, be referred to the Board of War.

Resolved, That a committee of three be appointed to enquire into, and report the number of muskets and field pieces, and the quantity of soldier's cloathing imported, or manufactured, or purchased for the use of the army, the time of importation and the place, and the persons to whom delivered, together with the number of arms in the several magazines under the care of the Board of War, the number in the stores of the commissary general of military stores, and in the hands of the continental troops, and what number has been lost or condemned, and that the committee have power to send for persons and papers.

The members chosen, Mr. [Samuel] Chase, Mr. [Elbridge] Gerry and Mr. [Nicholas] Vandyke.

The committee to whom were referred the petition of Daniel Bucklin, and the memorial of Isaac Jones, brought in a report, which was taken into consideration; Whereupon,

Resolved, That Joseph White, commander of the privateer *Revenge*, appear before the committee of appeals within 40 days after a copy of the petition of Daniel Bucklin, and of this resolve, is served on the said Joseph

[1] The letter of Sever is in the *Papers of the Continental Congress*, No. 65, I, folio 203; that of Avery, in No. 78, I, folio 103; that of Ludwig, in No. 41, V, folio 193; and that of Fermoy, in No. 78, IX, folio 107.

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White, the agent or one of the owners of the said privateer, to shew cause why the prayer of the said petition should not be granted.

Resolved, That William Dennis, commander of the privateer sloop called the *America*, appear before the committee of appeals within 40 days after a copy of the memorial of Isaac Jones, and of this resolve, is served on the said William Dennis, the agent, or one of the owners of the said privateer, to shew cause why the prayer of the said petition should not be granted.

A motion was made and seconded, "that a committee be appointed to revise the regulations of the commissary's department, so far as it respects the appointment of officers; that they confer with General Washington on the subject, and report such alterations as they may judge necessary."

After debate, a motion was made and seconded to postpone it: and the question being put on the motion of postponing, was carried in the negative, 7 noes, 4 ayes, one divided.

A motion was then made to amend the original motion by striking out "so far as it respects the appointment of officers" and insert "so far as it respects the salaries to be given to and the oaths to be taken by persons employed in the issuing department:" Question being put, carried in the negative, 10 noes, 2 ayes.

A motion was then made to amend the original motion by striking out the words "so far as it respects the appointment of officers:" The question put, carried in the negative, 6 noes, 5 ayes, one divided.

The question being put on the original motion, carried in the negative, 6 noes, 5 ayes, one divided.

Congress took into consideration the letter from General Washington, wherein "he wishes to be excused from

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making the appointment of an officer to command the northern army;" and thereupon [it was resolved that]

Congress proceed to the election of an officer; and the ballots being taken, Major General Gates was elected to that command by the vote of eleven States.

Resolved, That General Washington be informed of this appointment, and that he be directed to order General Gates to repair, with all possible expedition, to the northern department, to relieve Major General Schuyler.

Ordered, That the remainder of the letter from General Washington be referred to the Committee ~~appointed to digest and report the mode of conducting the enquiry &c~~ on the Northern Department.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

TUESDAY, AUGUST 5, 1777

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to Major William West, for his pay and rations as captain in the 3d Pensylvania regiment, from 1st September to 25 October, 1776, and for his pay and rations as major, from the 25th October, 1776, to the 13 July, 1777, the sum of 540 56/90 dollars:

That there is due to Cornelius Robinson, for his service as an express from Brigadier Dagworthy to this place, and for the hire of horses pressed on the road, and his expences, the sum of 34 30/90 dollars:

That there is due to William Hurrie, for his attendance as door keeper to Congress, for candles, &c. he bought between the 1st May and 31 July, and for nine days' at-

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tendance omitted in his last account, the sum of 90 72/90 dollars:[1]

Ordered, That the said accounts be paid.

The Board of Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That two thousand dollars be advanced to John Cheeseborough, pay master of the 6 regiment of North Carolina continental troops, for the pay of the said regiment, the said pay master to be accountable.

Resolved, That the same allowance be made to Bryan Lefferty, one of the hostages from Tryon county, for the good behaviour of the inhabitants of the said county, as is ordered by Congress to be made to the M'Donalds, and that 257 30/90 dollars be paid to Mr. Lefferty accordingly, in full for his subsistence to the 1st inst. inclusive.[2]

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 333.

[2] This report, dated August 1, is in the *Papers of the Continental Congress*, No. 136, I, folio 331.

In the *Papers of the Continental Congress*, No. 19, II, folio 133, is found the following motion, in the writing of [?] :

"*Resolved*, That Silas Deane Esqr one of the Commissioners of Congress at the Court of France, be forthwith recalled, and he is hereby recalled; and that from the Instant he shall receive this resolution, All and every power with which he hath been vested by Congress cease and determine, and that he take the earliest opportunity to embark for North America and repair to Congress."

It is endorsed by Charles Thomson, "Motion Aug. 5, 1777. Ordered to lie."

An undated motion, in the writing of James Lovell, is in No. 36, IV, folio 179, and embodies the words of this resolution:

"Whereas, Silas Deane Esqr, when agent under the Committee of Secret Correspondence entered into Conventions with several foreign Officers, which Congress have declared themselves not bound to ratify, and which in the present Situation of Affairs, they could not comply with without deranging the Army, and thereby injuring, at this critical Juncture, the American Cause; And, whereas the Credit, Reputation and Usefulness of Silas Deane Esqr, now one of the American Commissioners in France, will be greatly impaired by the Consequences of his Indiscretion in having entered into such Conventions, his Recall becomes necessary for the Interest of these United States; Therefore

"*Resolved*, That Silas Deane Esqr, now one of the American Commissioners in France be forthwith recalled; and, that from the day of his receiving this Resolve, all and every Power with which he hath been vested by Congress do cease and determine; and that he take the earliest Opportunity to embark for North America and repair to Congress."

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Resolved, That there be advanced to Mons. du Coudray, for the use of the following gentlemen, who came over with him to America:

Captain Rogers and Capt. Fleury, each 200 dollars;

Capt. Le Brun, Capt. Vareigne, and Capt. Tousard, each 250 dollars;

Capt. Loyauté and Capt. Pierre, each 200 dollars;

Lieut. Le Blanc, 250 dollars, and Lieut. Matthio, 150 dollars;

Lieut. Rivau and Lieut. Fonfredi, each 250 dollars;

Lieut. Ganot, 150 dollars, and Lieut. Matigny, 250 dollars;

Lieut. Coyete, Lieut. Parisy, Lieut. Begard, each 150 dollars;

Lieut. Pommereul and Lieut. Boshard, each 150 dollars;

Amounting, in the whole, to three thousand six hundred dollars, to be charged to account of Mons. du Coudray, being advanced on his application.[1]

~~Resolved, That the million of dollars to be emitted by a resolution of Congress of the 1st instant, for the purpose of redeeming the certificates and bills of credit issued by the state of Georgia for the use of the United States and for the support of the continental forces in that State, be of the same tenor and date as the emission ordered by Congress the twentieth day of May last, and that a warrant issue on the treasurer for four hundred thousand of the said dollars to be paid the delegates of that State and another~~[2] [warrant to the Deputy Paymaster General in Georgia for 600,000 Dollars to be paid to

[1] This report, dated August 2, is in the *Papers of the Continental Congress*, No. 136, I, folio 335.

[2] The entry in the Journal runs only to this point. What follows is taken from the report of the Committee on the Treasury, in the *Papers of the Continental Congress*, No. 136, I, folio 337.

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him or the Delegates aforesaid, the said State and Deputy Paymaster General to be respectively accountable.]

Resolved, That a commissary of hides be appointed in the room of Peter Philips, Esqr who declines acting; the ballots being taken,

George Ewing was elected.

On motion by the Committee on Appeals,

Resolved, That Thursday next be assigned to take into consideration the propriety of establishing a court of appeals.

Congress proceeded to the election of officers in the commissary's department; and the ballots being taken,

William Buchanan, Esqr was elected commissary general of purchases.

A motion was made and seconded to postpone a farther election until ~~Mr. Buchanan is consulted~~ to morrow. Question put. Carried in the affirmative.

Resolved, That a committee of three be appointed to take into consideration the letter from B. Franklin and S. Deane, Esqrs. to Lord Stormont, and the depositions therein referred to, and report thereon to Congress:

The members chosen, Mr. [John] Witherspoon, Mr. [Samuel] Chase, and Mr. [William] Duer.

A deposition of John Barret, 1st lieutenant of the armed brig *Raleigh*, late commanded by Edward Travis, Esqr fitted out by and belonging to the State of Virginia, was read:

Ordered, That it be referred to the committee last appointed.

The Committee on Foreign Applications brought in a report, which was taken into consideration; Whereupon,

Resolved, That the Chevalier de Failly have the rank and pay of major in the army of the United States.

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The committee appointed to repair to the camp, brought in a report, which was read.

The Committee appointed to inquire into the State of the Army under the Command of General Washington, "and particularly into the Causes of Complaints in the Commissary's Department," having proceeded to the Camp in New Jersey and at Peekskiln, and conferred with Generals Washington and Putnam, and also with the principal officers of the Staff beg Leave to report,

That by the Adjutant General's Return herewith delivered, the army appears to consist of

17,568 Men rank and File
193 privates of the Corps of Artillery
188 privates of the Cavalry.

making in the whole 17,949 privates, exclusive of the Virginia and North Carolina Troops, commanded by General Nash, Col. Morgan's Corps of Light Infantry, Colonel Proctor's regiment of Artillery, Col. Moylans Regiment of Horse, and four troops belonging to Col. Sheldon's and Col. Bland's Regiments.

That of the above number there are fit for duty

14,089 privates
1,247 commiss^{d}. officers
1,584 Serjeants and corporals.

making in the whole 16,920 Combatants

That there are sick in the Hospitals and Army 3,745 soldiers, the number of which has been greatly increased by the Use of bad Bread, and the Want of Vinegar, Vegetables and Soap as particularly set forth in General Washington's Letter to the Committee.

That several of the States have prohibited or discouraged the recruiting Officers of some of the Battalions appointed by the General from enlisting Soldiers therein; which if not remedied will defeat the Intention of Congress with respect to the raising such Battalions.

That some Difficulties have arisen in the mind of the Commissary General of issues, relative to the number and pay of his Deputy Commissaries General, and pay of his Clerk, and the Apprehensions of the issuing Commissaries that by the new regulations, they must account for all the Stores they may receive without reasonable allowances for Leakage and Wastage. The remarks of each of the Commissaries

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General relative to their respective Departments are herewith reported to Congress.

That some Difficulties have taken place in the Paymaster General's Department from the Want of timely supplies of Money, an establishment for his Deputies, and Authority to appoint an additional Clerk.

In the Muster Master General's, from the pay of the officers, and the returns of Muster Rolls made to the Paymaster and Deputy Paymasters General.

In the Cloathier General's from the Want of Assistants in the several Camps and detached posts and of sundry Articles of Cloathing mentioned by the general.

In the Hospital Department from the Want of Authority in the Director and Deputy Directors General to draw Supplies from the Commissary's Stores.

That the General officers as well as the Staff complain of their not receiving regularly the resolutions of Congress relative to their several offices.

That the Complaint of the General upon the bestowing of rank on the inferior officers of the civil Departments of the Army, corresponds with the Opinion of the Officers in general, and there is too much Reason to apprehend great inconveniences from such Measures if not rectified in future.

That an Auditor of accounts for each Army and also a travelling Press for the army under the Command of General Washington appears to be necessary.

That the appointment of Brigade Chaplains has in some measure been suspended until the Sense of Congress is more fully known on the Matter.

Your Committee beg Leave further to report as their Opinion on the preceding State of Facts,

That the Deputy Commissaries General of purchases be respectively directed forthwith to appoint one or more assistants to procure or manufacture Vinegar, a suitable Number to procure Vegetables, and others to procure or manufacture Soap in each Department, until the Board of War shall have contracted for supplying the said Articles, and the several issuing Commissaries are respectively directed to deliver to the Order of the Commissary General of purchases or of his Deputy Commissaries General in their respective Districts, such

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Quantities of the Molasses in their possession, for manufacturing Vinegar, and of Tallow for making Soap, as the said Commissary or several Deputy Commissaries General of purchases shall judge necessary, who are also authorized to make further purchases of Molasses for this and other purposes.

Aug. 6, 1777 Agreed. That an additional Deputy Commissary General of Issues be appointed.

Agreed That the pay of the Deputy Commissaries General of Issues be increased to 100 Dollars per Month and of the Clerks of the Commissaries General to 50 dollars per month.[1]

That reasonable Allowances be made to the issuing Commissaries for Wastage and Leakage, and that the Commissaries General be severally directed to inform themselves as soon as may be, by Experiment of the average Loss that attends the issuing each Article which composes a ration, and report the same to Congress.

Aug. 6, 1777 That a Warrant issue in Favor of the Board of War for 500,000 Dollars to be delivered to the Paymaster General for the Use of the army, he to be accountable.

That the Reports of the Board of Treasury relative to the Appointment of an additional Clerk for the Paymaster General, the pay of his Deputies, and the Mode of Sending the resolutions of Congress to the Departments or persons who are to carry them into execution be as soon as may be considered by Congress.

Agreed Aug. 6, 1777. That the Commissary General of Musters be hereafter allowed the pay and Rations of a Colonel, that the pay of his Deputy Commissaries General be increased to 60 dollars per Month and of the Muster Masters to 45 dollars per Month.

Agreed Aug. 6, 1777. That the several Muster Masters be directed to omit making the returns to the Paymaster and Deputy Paymasters General, which have been heretofore ordered by Congress.[2]

The Committee appointed to enquire into the state of the Army under the Command of General Washington beg Leave further to report,

~~That the Commissary General of Purchases be furnished with a Copy of Mr. Trumbull's Letter to this Committee, dated the 22d of July last, at Newborough, so far as it respects the procuring of Salt, fat Beef and Pork, Casks, &c. for the next Campaign.~~

[1] These paragraphs are not in the Journals under August 6, *post*.

[2] This report, in the writing of Elbridge Gerry, is in the *Papers of the Continental Congress*, No. 21, folio 121.

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That General Washington be directed to apportion to the several States, the Continental Battalions which by order of Congress he has appointed; and it is earnestly recommended to the said States to take the most effectual Measures for raising their Quota's of the Sd. Battalions, as well as to complete the Continental Battalions which they have officered.

Postponed

That the Cloathier General be directed, forthwith to inform himself as nearly as may be of the Number of Blankets, Shoes, Hose and Shirts that will be wanted for the Troops of the United States in the fall and winter next ensuing, exclusive of those now in Store, or for which he has contracted; that he apply for the same to the several Assemblies or executive Authorities of the States of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New Jersey, Pennsylvania and Delaware, in proportion to the Number of Inhabitants of each State, and send to each an attested Copy of this Resolve; and it is earnestly recommended to the several States aforesaid, to call on the Inhabitants of their respective Counties, Cities, Towns or Districts to manufacture or furnish their proportions of the said articles and the said States are desired to appoint suitable persons to inspect the quality of the Articles thus supplied and to order them to be delivered to the Cloathier's Agent in each State, who is hereby directed to pay for the same on the Delivery thereof.

Agreed Aug. 28.

That the Cloathier General be directed forthwith to apply to the Commander in chief, and Commander of each Continental District, and inform himself of the Number of Assistant Cloathiers necessary for the Army and detached Posts within their several Commands; that he appoint without Delay as many Assistants as they may respectively judge necessary, and report their Names to Congress, that he take effectual Care to send to each Assistant a proportion of the Cloathing on hand, and full Supplies as soon as may be, ordering the said Assistants to give receipts therefor, that he be careful to direct the several Assistants to give to each non commissioned Officer and Soldier the Cloathing due to him by the Articles of Enlistment, and to take Receipts, and that they supply the Army with such other Cloathing as shall be necessary, at the average Cost and Charges thereof, that he furnish each Assistant with the Names of the non Commissioned Officers and Soldiers of the Divisions or Corps to which he may be assigned, who have received the Bounty of Cloathing or any Part thereof; and also with the Account of each Officer and Soldier in such Division or Corps who is indebted to the United States for Articles of Cloathing; that he direct each Assistant, on the first Day

Agreed.

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of every Month to render to the respective regimental Paymasters in the Division or Corps to which he is assigned particular Accounts of all the Cloathing for which the Officers and Men are respectively indebted; and the several regimental Paymasters are hereby directed to make the proper Stoppages from the pay Rolls for discharging the said Accounts, and to deliver the Money to the assistant Cloathiers respectively taking their Receipts therefor and delivering them to the paymaster or Deputy Paymaster General to be filed in his Office, until required by the Commissioners of Accounts or other proper Authority; that the several Assistants deliver the Money so received to the Cloathier General and Account with him for all the Cloathing which they may receive as aforesaid.

That each assistant Cloathier be allowed dollars pr. Month and Rations per day.

That the several Boards, Committees and persons employed or that hereafter may be employed, to import or procure military Stores for the United States, be directed from Time to Time to take the earliest Opportunities of reporting to the Board of War the several Quantities thus imported or procured, and to deliver the same to the order of the said Board.

That the several Boards Committees and persons employed or that hereafter may be employed to import or otherwise procure Articles of Cloathing, Medicine or other hospital Stores for the United States, are directed from Time to Time to take the earliest Opportunities of reporting to the Cloathier General or to one of his Agents the Cloathing, and to the Director or Deputy Directors General, or one of their Agents respectively the Medicine or other Hospital Stores imported or procured as aforesaid, ascertaining the quantity of each Article; and they are also directed to deliver the same to the order of the Sd Cloathier, Director or Deputy Directors General or their Agents respectively, and take duplicate Receipts therefor, one of each of which to be transmitted to the Board of War and the others to serve as their Vouchers.

That the Adjutant and Deputy Adjutants General be respectively directed hereafter, to make particular Returns of the Regiments of each State, as well as of the Brigades and Divisions to which they belong, and the Secretary of War is directed from Time to Time to transmit to the Several States the number of Officers and Men contained in each Return of their Regiments aforesaid.

That the Commander in Chief, and the Commanding Officer of each continental District, be severally directed, forthwith to order monthly

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Returns, to be made to the Adjutant or Deputy Adjutant General of all publick Arms or Accoutrements in the Hands of the Soldiers of the several continental Battalions and Corps, and of all military stores whatever, in the care of the Commissaries of Military Stores or other Officers of the Army within their respective commands and the Adjutant and Deputy Adjutants General are severally directed to transmit to the Board of War monthly returns of all such Arms Accoutrements and other military Stores, specifying the particular Quantities of each, and the Battalions, Corps and Names of the Commissaries and other Officers holding the same.

That all other persons entrusted with the care of military stores belonging to the United States, be respectively directed to make monthly Returns to the Board of War specifying the particular Quantities of each Article in their Possession, the Condition thereof and names of the Places in which the same are deposited, and that such of the said Persons as shall refuse or neglect to make the said Returns be dismissed from the Service.

That the Commissary General of Musters be directed to order the several Muster Masters to include in their respective Returns, the Number of Arms and Accoutrements belonging to the United States, in each Battalion or Corps of Troops which they shall muster, and that he transmit to the Board of War, monthly Abstracts of all such Returns regimentally digested.

That the Director and each of the Deputy Directors General be severally authorized to empower the Surgeon and Physician General of the Army within his respective District, to draw on the issuing Commissaries for such Articles of Provision in gross Quantities as the said Surgeon and Physician General Shall require for supporting the Sick in the flying and temporary Hospitals; and the said issuing Commissaries are respectively directed to charge such Provisions to the Director or Deputy Director General of the District, and to keep the Vouchers in separate Files in order for Settlement with the Officers aforesaid.

That the Quarter Master General be directed forthwith to contract with a Printer, who is provided with Types, and other Implements for Printing, and with a suitable Number of Journeymen, to attend the Army under the Command of General Washington, and that he procure convenient Waggons for transporting the Press and necessary Baggage of the printer aforesaid.[1]

[1] This report, in the writing of Elbridge Gerry, is in the *Papers of the Continental Congress*, No. 21, folio 115.

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Congress took into consideration the report of the Board of War of the 25 July; and thereupon,

Resolved, That Captain Dorsey's resignation be accepted.

That it be recommended to the Legislative, or in their Recess, to the Executive Powers of the several States, to afford every possible assistance to the Clothier General in the purchasing and conveying to such Places as he shall require, all kinds of Cloathing for the Army, and particularly Shirts, Shoes, Stockings and Blankets.[1]

The committee on the northern department, to whom General Washington's letter [of the 3d instant] was referred, brought in a report, which was taken into consideration; Whereupon,

Resolved, That the commanding officer in the northern department be directed to apply to the executive powers of the respective States of New Hampshire, Massachusetts bay, Connecticut, New York, New Jersey, and Pensylvania, for such a number of their respective militia as he shall judge sufficient to reinforce the army ~~in the said Department, and repel the Invasion~~ under his command:

That such militia be entitled to continental pay and rations, and be continued in service until the ~~15~~ last day of November next, unless sooner relieved by continental troops, or discharged; and that it be earnestly recommended to the executive powers of the said States, to exert their most vigorous efforts in complying with the requisition of the said commanding officer, without delay, that a speedy and effectual stop may be put to the progress of the enemy in that quarter.[2]

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 293. The members present were: John Adams, Francis Lightfoot Lee, Samuel Adams, William Duer, and James Wilson.

[2] This report, in the writing of James Duane, is in the *Papers of the Continental Congress*, No. 21, folio 115.

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WEDNESDAY, AUGUST 6, 1777

A letter, of this day, from General Washington, was read.[1] Also,

A letter of this day from the continental navy board was read[2] which last was taken into consideration; Whereupon,

Resolved, That John Rodeg be appointed second lieutenant in the navy of the United States.

Whereas, Major General Gates, by virtue of the power and authority to him given and granted by Congress, did, on the first of May last, grant to Louis Jean Baptist Chambaron d'Antignac a commission of a captain in the army of the United States:

Resolved, That a continental commission be granted to him, the said Louis Jean Baptist Chambaron d'Antignac, in lieu of the commission granted to him by General Gates.

A memorial from Mons. du Coudray, was read:[3] on which a motion was made and seconded,

That the said memorial lie on the table. Question put: passed in the negative, 7 noes, 4 ayes.

A motion was then made that the said memorial be dismissed. Question put: passed in the affirmative, 7 ayes, 4 noes.

A letter, of the 5, from Henrich Klein, was read:[4]

Ordered, To lie on the table.

Resolved, That John M'Comb, of Princeton, be authorized to act as quarter master at that place, for such detach-

[1] This letter is in the *Papers of the Continental Congress*, No. 152, IV, folio 439.

[2] This letter, dated August 6, and signed by John Nixon and John Wharton, is in the *Papers of the Continental Congress*, No. 37, folio 105.

[3] This memorial, dated August 5, is in the *Papers of the Continental Congress*, No. 41, II, folio 19.

[4] This letter is in the *Papers of the Continental Congress*, No. 78, XIII, folio 443.

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ments of the army as may be passing that way, till the quarter master general shall give further directions on this subject; and that he take care that no damage be done to the college at that place.

Resolved, That Major General Gates inform those states whom he shall apply to for militia, that Congress think it imprudent in the present circumstances of things to adhere to settled quotas which ought to be called out from each particular state.

Congress proceeded to the appointment of a deputy commissary general of purchases, and a deputy commissary general of issues, and a deputy pay master general in Georgia: Whereupon,

Resolved, That James Rae, Esqr be appointed deputy commissary general of purchases in the State of Georgia; John Bohun Gerardeau, deputy commissary general of issues; Joseph Clay, deputy pay master general in ditto.

Resolved, That Brigadier Howe be directed to order Brigadier M'Intosh to repair, with all possible expedition, to head quarters, where his service is necessary.

Resolved, That the sum of four thousand dollars be paid to the officers and men on board every fire-ship in the river Delaware, and to the officers and crew of any chain of fire-rafts, which shall actually set on fire and destroy any one of the enemy's ships of war of twenty guns or upwards; and three thousand dollars for every ship or vessel of war under twenty guns; and one thousand five hundred dollars for every transport; the proof of the execution done to be certified by the commodore, or commanding officer, or by the oath of such person or persons, as may have been witness to the fact.

Resolved, That the rewards aforesaid shall be divided in the following proportions: one fourth to the captain or commander, one seventh to the lieutenant, and the

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remainder to the crew, to be equally divided amongst them.

A petition of John Green and Peter Knight, was laid before Congress, praying that they may have leave to enter an appeal against a sentence of a court of admiralty for the state of Georgia, on the 20 day of December last, in the libel John White, &c. *vs.* the sloop *Polly:*

Ordered, That it be referred to the Committee on Appeals.

Congress proceeded to the election of officers in the commissary's department; and, the ballots being taken,

Ephraim Blaine, Esqr was elected deputy commissary general of purchases, in the room of Mr. Buchanan:

Archibald Stewart, Esqr was elected deputy commissary general of issues, in the room of Mr. Hoops, who has resigned:

James Blicker, Esqr was elected deputy commissary general of issues in the room of Mr. Avery, resigned:

Resolved, That in case Mr. Blicker this day appointed deputy commissary general of issues for the northern Department, shall decline the office, the commanding officer of the said department be authorized to appoint another person in his stead, and inform Congress thereof.

Resolved, That another deputy commissary general of issues be appointed for the eastern department: the ballots being taken, Samuel Gray, Esqr was elected.

Resolved, That the appointment of a deputy commissary general of purchases, in the room of Mr. Wadsworth, be postponed, till to morrow.

The Committee on the Treasury brought in a report, which was taken into consideration: Whereupon,

Resolved, That there be advanced to the pay master general, William Palfrey, Esqr five hundred thousand dollars, for the use of the army, for which he is to be accountable:

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Resolved, That there be advanced to Richard Bache, Esqr post master general, 2,000 dollars, for which he is to be accountable:

Resolved, That a warrant issue in favour of the Board of War, for three hundred thousand dollars, to be transmitted to Jonathan Trumbull, Esq. ||deputy|| pay master general in the northern department, for the use of that department, and for which he is to be accountable:

Resolved, That a warrant issue from the president to the commissioner of the loan office for the state of Massachusetts bay, in favour of William Sever, Esqr president of the council of the said State, for 30,000 dollars, for building a magazine, laboratory, and barracks in that State, agreeable to the order of Congress, for which the said council [is] to be accountable:

Resolved, That there be paid to Richard Bradley, Esqr pay master of the 3d batallion of continental troops raised in North Carolina, 3,500 dollars, for which he is to be accountable:

Resolved, That there be paid to John Taylor, pay master of the 8th batallion of continental troops raised in North Carolina, 1,000 dollars, for which he is to be accountable:

Resolved, That there be advanced to Dr. William Shippen, Jr. director general of the hospitals, the sum of fifty thousand dollars, for the use of the hospitals, for which he is to be accountable:

Resolved, That there be advanced to Chevalier de Failly, one hundred dollars, for two months' pay, he to be accountable:

Resolved, That the president issue his warrant on the commissioner of the continental loan office for the State of Rhode Island, in favour of Daniel Tillinghast, Esqr for 10,059 4/90 dollars, in discharge of a bill drawn by

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Abraham Livingston and William Turnbull, agents for James Mease, Esqr cloathier general, on Robert Morris, Esqr chairman of the Secret Committee, and tendered for payment to Congress, dated Boston, June 16, 1777; the cloathier general to be accountable:

Resolved, That the president issue his warrant on the commissioner of the loan office for the State of Pensylvania, in favour of James Mease, Esqr cloathier general, for fifty thousand dollars, for the use of his department, and for which he is to be accountable.

The committee farther report, "That they have conferred with the managers of the states lottery, and find that a considerable number of tickets remain unsold, in the hands of the managers, as well as their agents in the several States; that from the present state of the lottery, and the uncertainty of the enemy's intentions, the committee recommend the drawing to be postponed till the 6th day of November next, and that a farther quantity of tickets be transmitted to the several States; and that it be recommended to their respective executive powers to give all the assistance they can to expedite the sales thereof:"[1]

With this report Congress concurred, and direct the Board of Treasury to cause the same to be carried into effect.

Resolved, That the commissary general of musters be hereafter allowed the pay and rations of a colonel; that the pay of his deputy commissaries general be increased to 60 dollars a month, and of the muster masters to 45 dollars per month.

Resolved, That the several muster masters be directed to omit making the returns to the pay master and deputy pay masters general, which have been heretofore ordered by Congress.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 339.

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Mr. [Elbridge] Gerry moved two resolutions which were seconded. A motion was made to postpone them. The question put. Carried in the negative, 7 noes, 3 ayes. The first was taken into consideration and being amended with the addition of the words "which they are required to do as speedily as possible," passed as follows:

Whereas, Joseph Trumbull, Esq[r] having resigned his commission of commissary general of purchases under the new regulations, has signified his intentions of discontinuing his services under the former establishment on the 20 day of the present month; and whereas the commissaries general of purchases and issues, who are to succeed him in office, may not be prepared with their respective assistants to proceed in the business at the time aforesaid, and a failure of supplies may be attended with the most dangerous consequences:

Resolved, That Mr. Trumbull, with the officers under him, be desired to continue in the business of supplying the army under the former establishment, until the commissaries general of purchases and issues shall signify their readiness to proceed therein under the new regulations, which they are required to do as speedily as possible:

The second was taken into consideration, which is in these words: "That General Washington be authorized, during the present campaign, to remove such officers and make such appointments in the commissary's department, as he shall judge necessary, reporting their names to Congress; and if, in carrying into execution the regulations aforesaid, any alterations shall appear to him essential to the service, he is further authorized to propose the same to Congress;"

The proposition being divided, and the question put on the first, carried in the negative, 7 noes, 3 ayes.

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The question being put on the latter part, carried in the negative, ~~with out calling the States.~~

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

THURSDAY, AUGUST 7, 1777

A letter, of the 7, from General Washington, enclosing a copy of a letter of the 1st, from General Schuyler, at Saratoga, and sundry other papers was read:[1]

Ordered, That copies thereof be sent to Major General Gates.

Resolved, That Major General Prescot be retained as a pledge for the good treatment and release of Major General Lee, and that he be treated as nearly as circumstances will admit, in the same manner as the enemy shall treat the officer last mentioned.

Resolved, That General Washington be authorized to negotiate the exchange of prisoners with the enemy, in such manner, and on such terms, as he shall judge expedient, notwithstanding the resolution of Congress respecting Lieutenant Colonel Campbell, and the five Hessian field officers.

Resolved, That the pay of the deputy commissaries general of issues, be increased to 100 dollars per month, and the pay of the clerks of the commissaries general, to 50 dollars per month.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

[1] The letter of Washington, with enclosures, is in the *Papers of the Continental Congress*, No. 152, IV, folio 443.

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FRIDAY, AUGUST 8, 1777

A letter, of the 4, from Governor T. Johnson, at Annapolis, with a letter from Darby Lux, was read, which was taken into consideration;[1] Whereupon, Congress came to the following resolution:

It having been represented to Congress, that Darby Lux, Amon Butler, Nicholas Haite, Thomas James, and Nathaniel Owings, of Baltimore county, in the state of Maryland, gentlemen, have in company undertaken to open a lead mine, and to erect works for smelting the ore, and that the inhabitants in the neighbourhood have refused to permit them to proceed in the prosecution of their design, without credentials from Congress, that they are friends to the United States; and it appearing to Congress, by the representation of the governor and delegates of Maryland, that the said gentlemen are faithful friends to the American cause,

Resolved, That it be recommended to the inhabitants in the neighbourhood of the lead mine aforesaid, to permit the same to be worked by the above gentlemen, and to give them every encouragement in the prosecution of a work of such public utility, and from which a supply of lead may be drawn for the service of these States.

The Commercial Committee, to whom the petition of Captain James le Maire was referred, report, "that they have enquired into the merits of his claim on the United States, and are of opinion, that the said James le Maire, and his sloop, the *Mary*, were in the continental service at the time she was taken and burnt by the enemy in Chingotegue inlet, and that he ought to be paid a reasonable value for the said sloop, with such reasonable charges and expences as may have arisen to him in consequence of this misfortune;" Whereupon,

[1] The letters are in the *Papers of the Continental Congress*, No. 70, folios 221 and 225.

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Resolved, That the Committee of Commerce be empowered to make the said James le Maire, a reasonable and just compensation for his losses in the public service, and to despatch him on the business in which he was employed by the Secret Committee.

A letter, of the 3d, from Brigadier Charles Scott, to Benjamin Harrison, Esqr was laid before Congress, and read:[1]

Ordered, To lie for consideration ||on the table.||

A petition from William West, major, James M'Henry and Hugh Hodge, surgeons of the 4th and 6th regiments ||of Pensylvania forces,|| commanded by Colonels Magaw and Cadwallader, prisoners on parole, praying to be informed, whether, as continental officers holding commissions only revocable by this or a future Congress, they are not entitled to pay while on parole, as well as when in the hands of General Howe:[2]

Ordered, To lie for consideration to Monday next.

A letter, from Recules de Basmeireen Raimbeaux, of Bordeaux, 24 March last, was read,

Ordered, That it be referred to the Committee of Commerce.

A letter, of the 24 July, from Brigadier Hand, at Fort Pitt, to Thomas Wharton, Esqr president of the council of Pensylvania, with sundry papers enclosed, was laid before Congress, and read:

Ordered, That the same be referred to the Board of War.

The Medical Committee, to whom the memorial from Dr. J. Morgan was referred, brought in a report.[3]

A motion was made, and seconded, that a new commission be made out, and sent to Major General Benedict

[1] This letter is in the *Papers of the Continental Congress*, No. 78, XX, folio 135.

[2] This petition is in the *Papers of the Continental Congress*, No. 42, VIII, folio 167.

[3] This report is in the *Papers of the Continental Congress*, No. 19, IV, folio 177. It is summarized on August 9, *post*.

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Arnold, giving him the rank of major general in the army, from the nineteenth day of February last:

After debate, a motion was made to amend the motion by adding "On account of his extraordinary merit and former rank in the army:"

Question put, carried in the negative.

Question put on the original motion. Carried in the negative.

At the request of Rhode Island, the yeas and nays were required, and are as follows:

YEAS.

Mr. Folsom,	Mr. Dyer,	Mr. Roberdeau,
Marchant,	Duane,	Walton.

NAYS.

Mr. J. Adams,	Mr. Sergeant,	Mr. Vandyke,
S. Adams,	Elmer,	Chase,
Gerry,	R. Morris,	W. Smith,
Lovell,	Wilson,	Burke,
P. Livingston,	Clymer,	Harnett.
Duer,		

A memorial from J. Jay and Gouverneur Morris was read:

Ordered, That it be referred to a committee of three:

The members ||chosen,|| Mr. [Samuel] Chase, Mr. [James] Wilson and Mr. [Jonathan Dickinson] Sergeant.

Ordered, That the said committee sit on the business as soon as possible, and that they confer with General Washington and the memorialists.

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due, to Major Samuel Nichols, for himself and a detachment of three companies of marines which he commanded on artillery duty, for which they were to receive additional pay, viz. Captain Porter's company, from 1st February to 1st July; Captain Mullen's company, from 1st February to 1st March; and Captain

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Deane's company, from the 1st February to the 1st April, the sum of 895 15/90 dollars:

That there is due to William Hurrie, door-keeper to Congress, for a balance of his account, being a mistake of the commissioners in the settlement thereof the 1st. instant (his account amounting to 117 42/90 and was reported only 90 72/90) the sum of 26 60/90 dollars:

That there is due to Allan M'Donald, his son and servant, for their allowance as prisoners, from the 18 September, 1776, to the 5 August, 1777, being 46 weeks, the sum of 230 dollars:

That there is due to Daniel Smith, of the city tavern, for his bill of expences of Congress, on the 4 of July last, including a balance of an old account, the sum of 729 68/90 dollars; also a bill for materials, workmanship, &c. furnished for the fire works on the 4 July, the sum of 102 69/90 dollars; amounting in the whole to 832 47/90 dollars:[1]

That there is due to the Rev. John Hart, chaplain to the 6 Virginia regiment, for his extra services in officiating to the 4 and 5th Virginia regiments, from the 3 November, 1776, to the 28 April last, being 5 months and 26 days, at 41 60/90 dollars, per month, the sum of 243 52/90 dollars:[2]

Ordered, That the said accounts be paid.

The Committee of Treasury brought in a report; Whereupon

Resolved, That a warrant issue to the treasurer, to transmit from Maryland to the auditor general, one million of dollars, for which the said auditor is to account.[3]

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 343.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 345–1.

[3] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 345.

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SATURDAY, AUGUST 9, 1777

Congress took into consideration the report of the Medical Committee which was read, as follows:

"The Medical Committee to whom the memorial of Dr. John Morgan to Congress was referred, beg leave to report, that they find from the journals of Congress, that Dr. Morgan was appointed director general and chief physician of the hospital, in the room of Dr. B. Church, October 17, 1775; that, on the 9 January, 1777, he was dismissed from said appointment; that though no cause is assigned for his discharge, yet, your committee on enquiry, find, that the general complaints of persons of all ranks in the army, and not any particular charges against him, together with the critical state of affairs at that time, rendered it necessary for the public good and the safety of the United States, that he should be displaced, and were the reasons of his dismission; that the doctor's memorial appears to your committee to be a hasty and intemperate production; notwithstanding which, as he conceives himself injured, and requests an enquiry into his conduct, your committee are of opinion that he ought to be heard, and that a committee of Congress should be appointed for that purpose:"

Resolved, That Congress concur in the said report.

The Medical Committee, to whom was referred the letter from Dr. William Rickman, also report, "that as the establishment of the military hospital in Virginia, by a resolution of Congress of the 18th of May, 1776, is entirely distinct from, and independent of, the general establishment of hospitals in the other States, they are of opinion, the same was not affected by the new regulations of the 7th day of April last, and that Dr. Rickman still continues director of that hospital;"

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Resolved, That Congress concur with the foregoing report.[1]

Ordered, That a copy of the foregoing report and concurrence of Congress be sent to Dr. Shippen, and that he be directed to withdraw from Virginia such physicians, surgeons, or assistants, as he may have sent thither.

Resolved, That the Board of Treasury be directed to order Mr. Hillegas, the treasurer, together with the treasury printing-press under his care, to remove to Philadelphia as soon as they judge the state and situation of public affairs will admit:

Resolved, That the Board of Treasury be directed to take into consideration, and report, a proper compensation to Mr. Hillegas, for his past and future services.

Congress proceeded to the election of a deputy commissary general of purchases, in the room of Jeremiah Wadsworth, Esqr. resigned; and, the ballots being taken,

Peter Colt, Esqr. was elected.

A letter, of this day, from General Washington, with sundry papers enclosed, was read.[2]

Resolved, That the Board of War be directed to confer with Mr. Boudinot, the commissary of prisoners, and report, as soon as possible, on the manner in which the prisoners under his charge ought to be treated.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That such troopers of the North Carolina light-horse, under the command of Captain Martin Phifer, Captain Cosmo Medici, and Captain Samuel Ash, as shall inlist for three years, or during the war, be furnished with horses, and be properly accoutred, and that those men who will not so inlist, return home to North Carolina under proper officers.[3]

[1] See note under August 8, *ante*.

[2] This letter is in the *Papers of the Continental Congress*, No. 154, IV, folio 455.

[3] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 303.

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The several matters &c. ||to this day referred, being postponed,||

Adjourned to 10 o'Clock on Monday.

MONDAY, AUGUST 11, 1777

Mr. [Benjamin] Harrison, Mr. Joseph Jones, and Mr. F[rancis] L[ightfoot] Lee, three of the delegates from Virginia attending, produced the credentials of their appointment, which were read, as follows:

VIRGINIA. *In General Assembly, 22d May, 1777.*

Resolved, That Benjamin Harrison, George Mason, Joseph Jones, Francis Lightfoot Lee, and John Harvie, esqrs. be appointed delegates to represent this state in general Congress for one year, from the 11th of August next, they having been chosen for that purpose by joint ballot of both houses.

26 June, 1777.

Resolved, That Richard Henry Lee, esq. be appointed a delegate to represent this state in general Congress, from the 11th of August next, until the 10th day of May following, he having been chosen for that purpose, by joint ballot of both houses, in the room of George Mason, esq. who hath declined the said appointment.

A copy,

JOHN TAZEWELL, *C. H. D.*

A letter, of the 4, from General Schuyler, at Stillwater; two, of the 9, from General Washington; a letter from the Viscount de Mauroy; one from Mons. de Vrigny, and one from Mons. Valfort, were read.[4]

The Marine Committee laid before Congress a letter of the 28 July, from Isaac Smith, Ebenezer Storer and

[4] The letter of Schuyler is in the *Papers of the Continental Congress*, No. 153, III, folio 230; those of Washington are in No. 152, IV, folios 459, 465, and 469. Two are printed in *Writings of Washington* (Ford), VI, 16, 17. The letter of Mauroy is in No. 78, XV, folio 239; that of de Vrigny, in No. 41, X, folio 311; and that of Valfort on folio 313 of the same volume.

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William Phillips, commissioners appointed to settle the accounts of the continental agents, which was read, and wherein they set forth, that they have settled William Bartlett's account, and find a balance due to him from the states, of £4,504 2 0 ||15,013 60/90 dollars,|| and to Jonathan Glover, Esqr. £16,527 9 2 ||55,091 47/90 dollars,|| being the balance of his account; that they would have complied with the orders of the Marine Committee to pay these balances, but cannot find any person who wants the money in Philadelphia, and as Messrs. Bartlett and Glover are in great want of the money, in order to settle with the captors, they have advised them to send a person express for this purpose; Whereupon,

Resolved, That an order be drawn on the commissioner of the loan office, for the state of Massachusetts bay, in favor of Isaac Smith, Ebenezer Storer, and William Phillips, for the sum of 70,105 1/6 dollars, for the payment of the balances due to Messrs. Bartlett and J. Glover.

A letter from General Washington was read, relative to the defence of the river Delaware.

Ordered, That the letter from General Washington, with the memorial from the board of general officers respecting rations, be referred to a committee of three:

The members chosen, Mr. [James] Wilson, Mr. J[onathan] B[ayard] Smith, and Mr. W[illiam] Smith.

A letter, of the 9, from Arch. Stewart to Charles Stewart, was laid before Congress and read,[1] wherein he mentions the declining state of his health, and expresses his concern that it is not in his power, on account of his health, to accept the post of deputy commissary general of issues, and hopes he will not incur blame for not accepting an office, the duties of which he has not the least prospect of being able to perform; Whereupon,

[1]This letter is in the *Papers of the Continental Congress*, No. 78, XX, folio 139.

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Resolved, That his resignation be accepted, and that to morrow be assigned for appointing a deputy commissary general of issues.

A memorial from Mons. du Portail was read.

Ordered, That it be referred to the Board of War.

Resolved, That Mons. du Coudray be appointed inspector general of ordnance and military manufactories, with the rank of a major general.

Resolved, That a committee of four be appointed to define the powers to be granted to, and exercised by Mons. du Coudray:

The members chosen, Mr. [James] Wilson, Mr. [James] Duane, Mr. [Thomas] Heyward, and Mr. S[amuel] Adams.

A memorial from Thomas M'Coy, and a memorial from James [A.] Wilson, were read:[1]

Ordered, That the former be referred to the Board of Treasury, and the latter to the Board of War.

Ordered, That the memorial and petition of Philip Minis be referred to the Board of Treasury.

Congress took into consideration the letter from General Washington, respecting the river defence necessary to be adopted for the protection of Philadelphia.

Ordered, That the same be referred to the Board of War, and that they be directed to carry the General's plan of defence into execution with all possible despatch.

||The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.||

[1] The memorial of Wilson is in the *Papers of the Continental Congress*, No. 41, X, folio 351.

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TUESDAY, AUGUST 12, 1777

Mr. R[ichard] H[enry] Lee attended and took his seat.

A letter, of the 9th, from General Mifflin, and one, of the 8th, from Mr. J. Hudson, were read:

Ordered, That they be referred to the Board of Treasury.

A letter and memorial from Count Pulaski was laid before Congress.[1]

A letter from General Washington to Brigadier Thompson, with sundry papers enclosed, was laid before Congress:

Ordered, That the same be referred to the Board of Treasury.

Resolved, That four members be added to the Board of Treasury:

The members chosen, Mr. [Henry] Laurens, Mr. [Nathaniel] Folsom, Mr. [Cornelius] Harnett, and Mr. [Eliphalet] Dyer.

Resolved, That William Molliston be appointed a third lieutenant in the service of the United States, and that he be commissioned accordingly.

The Committee on the Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That the Million of Dollars to be emitted by a Resolution of Congress of the 1st. inst. for the purpose of redeeming the Certificates and Bills of Credit Issued by the State of Georgia, for the use of the United States and for the support of the Continental Forces in that State, be of the same tenor and date, as the Emission ordered by Congress the 20th May last, and that a warrant Issue on the Treasurer in favour of the Board of War for four hundred thousand Dollars, to be applied to the Redemption of the Certificates and Bills of Credit Issued by the said State for the United States, and for which said State is to be accountable.

Recommitted

[1] The memorial of Pulaski is in the *Papers of the Continental Congress*, No. 41, VIII, folio 17.

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And, That another Warrant be drawn in favour of the Board of War for three hundred thousand Dollars part of the remaining six hundred thousand Dollars, to be transmitted by them to Joseph Clay, Esqr, Deputy Pay Master General in Georgia, towards the support of the Continental Troops in that State and for which he is to be accountable.

Resolved, That there be paid to Isaac Guion, acting as pay master to the 4th and 7th batallions of continental troops, raised in the State of North Carolina, six thousand dollars, one-half thereof for the use of each of the said batallions respectively, said pay master to be accountable:

Resolved, That a warrant be drawn by the president on John Lawrence, Esqr commissioner of the loan office, for the State of Connecticut, in favour of Samuel Downe, one of the commissioners ||of accounts,|| for six hundred dollars, for which he is to be accountable:[1]

Resolved, That the remainder of the report, together with the resolutions passed the 1st instant, respecting the emission and appropriation of one million of dollars, be re-committed to the Board of Treasury.

Mr. [Thomas] Heyward desiring to be excused from serving on the Committee of Commerce,

Resolved, That he be excused, and that Mr. [Henry] Laurens be appointed a member of the said committee in his stead.

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to Ezra Patterson, a serjeant in Colonel Hart's batallion of flying camp, for his pay from the 17th October, 1776, to 1st January, 1777, being 2 months and 14 days, at 8 dollars per month, the sum of 19 60/90 dollars:

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 347. It is dated April 9.

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That there is due to the Rev. Robert M'Murdie, for his extra services in officiating as chaplain to Colonel Jacob Clotz's batallion, from 18th October, 1776, to 1st January 1777, is 2 months 13 days, at 20 dollars per month, the sum of 48 60/90 dollars:

That there is due to the Rev. Mons. Lotbinier, for one month's pay and rations as chaplain, from 10th July to 10th instant, 48 dollars, also, for the difference of pay which took place 11th April last, in the pay of chaplains, he having received only at the rate of 33 1/3d dollars per month, whereas the pay was 40 dollars per month, the difference 6 2/3 dollars per month, for three months, 20 dollars:

That there is due to Brigadier General Weedon, a balance of his contingent account, being as follows: amount of account, £287 17 6, ||of which he|| received by General Lewis's warrant at Williamsburg, £250; balance, in Virginia money £37 17 6, equal to 126 22/90 dollars:[1]

Ordered, That the said accounts be paid.

An extract from the minutes of the supreme executive council of Pensylvania was laid before Congress, ||and read as follows:||

IN COUNCIL, PHILADELPHIA, *August 12, 1777.*

Ordered, That information be given to Congress, that the hon. John Penn, Esqr late governor of Pensylvania, and Benjamin Chew, Esqr late chief justice, register general of wills, etc., and one of the governor's council of the same, have been made prisoners, agreeable to the recommendation of Congress; that both refuse to sign a parole of any kind; and that Congress be requested immediately to order them to be removed out of this State.

Extract from the minutes,

TIMOTHY MATLACK, *Secretary.*[2]

[1] This report, dated August 9, is in the *Papers of the Continental Congress*, No. 136, I, folio 349.

[2] This extract is in the *Papers of the Continental Congress*, No. 69, I, folio 389.

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Whereupon, *Ordered*, That the Board of War give directions for the conveyance of those gentlemen under guard to Fredericksburgh, in Virginia, and that the governor of Virginia be requested to appoint some proper place for the reception of those gentlemen, and to order that they be safely secured and entertained, agreeable to their rank and station in life.

Congress took into consideration the report of the committee on the state of the army, and, after some time spent thereon,

Resolved, That the farther consideration thereof be postponed till to morrow.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, AUGUST 13, 1777

A letter, of the 12, from General Washington, at the Cross Roads; one of this day, from the Marquis de la Fayette; a letter of the 12, from W. Buchanan, C. G. P. with a list of provisions stored by J[oseph] Trumbull, Esq.r ||were read:||[1]

Ordered, That they be referred to the Board of War.

~~A motion was made and seconded. After debate, another motion was made as an amendment to the first, "That the execution of the Order of Congress relative to the removal of John Penn and Benjamin Chew Esq.r, be suspended until such time as the Board of War shall deem essential to the public safety to carry it into execution. And that in the mean while they be authorised on an~~

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 477. That of Lafayette is in No. 156, folio 1; and that of Buchanan, in No. 78, II, folio 223.

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~~application in writing from those gentlemen to admit them to such paroles as they shall deem necessary to secure the public safety." After a long debate, the previous question was moved and carried in the negative.~~

~~A motion was then made and seconded as follows:~~

~~"Whereas it is represented to Congress that the hon^ble John Penn Esqr and Benjamin Chew Esqr who were ordered yesterday to be conveyed by the board to Fredericksburgh in Virginia are now willing to give their parole, Ordered that the Board of War take such parole from the said gentlemen.~~

~~On information that the hon^ble J Penn and Benjamin Chew Esquire were willing to give their parole,~~ A motion was made and seconded for superseding the resolve passed yesterday relative to ~~John Penn and B. Chew esqrs,~~ and remanding them to the executive council of Pensylvania: after a long debate a motion was made and seconded for the previous question. Whereupon a debate ensued, and as an amendment to the first motion, a new proposition was moved and seconded as follows: "Whereas it is represented to Congress that the honourable John Penn Esqr and Benjamin Chew Esqr, who were ordered yesterday to be conveyed by the Board of War to Fredericksburgh, in Virginia, are now willing to give their parole, *Ordered*, that the Board of War take such parole from the said gentlemen as they may think proper, and thereupon that the order of yesterday for their removal to Virginia be suspended."

After debate it was moved and seconded as an amendment of the two former propositions: "That the execution of the order of Congress relative to the removal of John Penn and Benjamin Chew Esqrs. be suspended till such time as the Board of War shall deem essential to the public safety to carry it into execution, and that in the

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mean while they be authorised, on an application in writing from those gentlemen, to admit them to such paroles as they shall deem necessary to secure the public safety."

~~After debate the previous question was demanded on the first motion, but information being given that the council having transferred the prisoners to Congress did not chuse to have anything more to do with them,~~[1] the first motion was withdrawn. The previous question was then moved and seconded on the last proposition, and the same being put it was carried in the negative.

The previous question was then moved on the second proposition and the same being put, the States were equally divided, there being twelve present. The question being then put on the second proposition, the States were equally divided.

At the request of Maryland and New Jersey, the yeas and nays were called for and are as follows:

YEAS.

Mr. Duane,	Mr. Vandyke,	Mr. Jones,
Duer,	Chase,	Burke,
Morris,	W. Smith,	Penn,
Wilson,	Paca,	Harnett,
Clymer,	Harrison,	Middleton,

NAYS.

Mr. Folsom,	Mr. Marchant,	Mr. Roberdeau,
Frost,	Dyer,	J. B. Smith,
S. Adams,	Law,	F. L. Lee,
J. Adams,	Sergeant,	Laurens,
Gerry,	Elmer,	Heyward.
Lovell,		

~~A motion was then made to adjourn. Carried in the negative.~~

[1] Against this paragraph is written: "On motion ordered to be expunged, Friday Aug. 15."

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The Committee on the Treasury brought in a report, which was read ||taken into consideration;|| Whereupon,

Ordered, That 200 dollars be advanced to Chevalier du Portail, 150 dollars to Lieutenant Colonel de la Radière, and 150 dollars to Major Gouvion; for which they are respectively to be accountable:

That 2,000 dollars be advanced to Viscount de Mauroy, for himself and his suite, for which he is to be accountable:

That 2,000 dollars be advanced to Baron de Kalb, for himself and his suite, for which he is to be accountable:

That 30,000 dollars be advanced to William Buchanan, Esqr commissary general of purchases, for the use of his department, for which he is to be accountable:

That a warrant issue for 150,000 dollars, in favour of Anthony Butler, agent to Major General Mifflin, quarter master general, for the use of his department, and for which he is to be accountable, agreeable to his application to Congress by letter, dated the 9th instant:

That there be paid to Elbridge Gerry, Esqr 114 45/90 dollars, for the expence of a committee of Congress to the army in this present month of August:

That there be advanced to Jacob Blount, appointed by the state of North Carolina, pay master to the continental troops raised in that State, and to be delivered to William Blount, his agent, 2,000 dollars, for arrears of pay to the said batallions, incurred while he officiated, and before the appointment of regular regimental pay masters; for which he is to be accountable:

That there be paid to Dr. Elmer, 35 dollars, for his expences in visiting the hospitals, agreeable to the directions of the Medical Committee:[1]

Resolved, That the remainder of the report be postponed till to morrow.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 355. The remainder is printed under August 16, *post*.

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The Committee on Foreign Applications brought in a report:

The Committee on foreign applications report as their opinion that a Commission of Lt Col. be immediately given to the Chevalier de failly, and that he be paid as in that Rank from the 1st of December last and ordered to repair forthwith to the Northern army.[1] Agd.

Agreed

That the thanks of Congress be given to the Baron de Kalb with his suite, and to the Viscount de Mauroy with his suite for their zeal in passing over to America to offer their talents in the service of the United States, It being impossible for Congress to avail themselves of the offers of service, made by those gentlemen in any way suited to their rank, and the circumstances of the American Union.[2]

To lie

Ordered, That the consideration thereof be postponed till to morrow.

The Board of War brought in a report:

AT A BOARD OF WAR *August 12th, 1777*

Agreed to Report to Congress:

That one thousand Dollars be paid into the Hands of Mr Christopher Ludwick, Superintendant of Bakers and Director of baking for the Purpose of erecting Ovens at Suitable Places.

That Mr Ludwick have a Right to demand of the Commissary General of Purchases or Issues, their Deputies or the Commissaries and keepers of Stores, next to any Division of the Grand Army, as may be most convenient, and receive from them or any of them as much Flower as shall be necessary for the Supply of such Division or part of the Army, for whose Use Mr Ludwick may require it, with Bread; and the Said Commissary General of Purchases or Issues, and their Deputies, Agents or Storekeepers are directed to comply with the Requisitions, of the said Superintendant of Bakers.

That he, the said Mr Ludwick, shall himself pay the Bakers employed by him and be furnished with Money for this Purpose by the Pay Master General, rendering an exact Account of the Expenditure of all Sums so received and producing proper Vouchers therefor.

[1] This paragraph is printed under August 21, *post*.

[2] This paragraph was the basis of the resolve passed September 8, *post*.

The report, in the writing of James Lovell, is in the *Papers of the Continental Congress*, No. 25, I, folio 18.

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That the said Mr Ludwick or the Persons employed by him deliver the Bread when baked to the Commissary General of Issues or his Deputy or Agent with the Division of the Army where the Bread is baked.

That he employ and pay on extraordinary Occasions any Persons altho' not Bakers whose Services shall be deemed necessary towards promoting and carrying on the Business of his Department.

That the Quarter Master General be directed to Supply the Commissary General of Issues with a sufficient Number of covered Waggons, with tight bodies, capable of being locked or fastened up, and large and Strong enough to carry a Ton for the Purpose of transporting Bread for the Use of the Army.

At a Board of War *13th August 1777*

Present Mr John Adams, Mr Wilson, Mr S. Adams and Mr Lee

Agreed to Report to Congress:

That the Memorial of Monsr Du Portail be referred to Gen Washington, who shall be directed to make such Regulations with regard to the three Persons who are the subject of the Memorial as he shall think proper.

That the sum of two hundred Dollars be advanced to Monsieur Du Portail, 150 Dollars to Monr Delaradière and the like sum to Monsieur De Gouvion, they to be accountable.

Captain Joy wants three hundred Dollars for the Use of the Cannon Department.

300 Dollars wanted to defray contingent Expences by the Board of War.[1]

Ordered, That the consideration thereof be postponed till to morrow.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

[1] These reports are in the *Papers of the Continental Congress*, No. 147, I, folio 305. All is in the writing of Richard Peters, except the two paragraphs on the French officers. This paragraph was struck out, and in the lower corner of the folio Thomson has drawn nine lines, probably the vote upon it.

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THURSDAY, AUGUST 14, 1777

At 10 o'Clock the President assumed the chair, at which time there was only one State present represented. New Hampshire, Massachusetts bay, Rhode Island, Connecticut, New Jersey, Pensylvania, Maryland, South Carolina, attended at ½ after 10.

Virginia and New York at 11 o'Clock.

Delaware at ¼ past 11, and Georgia at ½ past 11.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due to Colonel Lewis Nicola, for the pay of four companies of city guards, to the 2d inst. being one month, the sum of 2,070 50/90 dollars.

That there is due to Lieutenant Colonel Jonathan Jones, his pay as major, in the 2d Pensylvania regiment, from the 25 December, 1776, to the 25 February, 1777, being two months, at 50 dollars per month, 100 dollars; and for his pay as lieutenant colonel in the said regiment, from the 25 of February, to the 5th April, one month and nine days, at 60 dollars per month, 78 dollars; the whole amounting to 178 dollars:

That there is due to Charles Thomson, for sundries paid for by him to Andrew M'Nair, late door keeper to Congress; to Benjamin Randolph, for boxes to hold the papers of Congress; to David Evans, for two tables; and for freight and porterage of a box of papers from Baltimore, the sum of 56 30/90 dollars:[1]

Ordered, That the said accounts be paid.

Congress proceeded to the election of a deputy commissary general of issues, and the ballots being taken,

Robert White, Esq[r] was elected.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 353.

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A letter from John Penn Esq[r] and a memorial from Benjamin Chew Esqr to Congress were read; whereupon a motion was made.[1]

After debate the previous question was moved, and the question put, carried in the affirmative.

By consent of the house a motion was made to amend the original Motion, by inserting after the Board of War "with the concurrence of the executive council of Pensylvania." The question, put, carried in the negative.

At the request of Rhode Island, the yeas and nays were called for, and are as follows:

YEAS.

Mr. Folsom,	Mr. Marchant,	Mr. J. B. Smith,
S. Adams,	Dyer,	Roberdeau,
Gerry,	Law,	Laurens.
Lovell,	Sergeant,	

NAYS.

Mr. Frost,	Mr. Vandyke,	Mr. Burke,
J. Adams,	Chase,	Harnett,
Duane,	Paca,	Penn,
Duer,	W. Smith,	Middleton,
Morris,	Harrison,	Heyward,
Wilson,	Jones,	Walton.
Clymer,	F. L. Lee,	

The question was then put on the original motion, and agreed to as follows:

A letter from the hon[ble] John Penn, Esq[r] to the hon[ble] the president, requesting Congress to admit him to his parole, and a memorial of Benjamin Chew, Esq. containing the same request, were laid before Congress, and thereupon,

[1] The memorial of Chew is in the *Papers of the Continental Congress*, No. 41, II, folio 27. The letter of John Penn is in No. 78, XVIII, folio 147.

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"*Ordered*, that the Board of War take such parole from the said gentlemen as they may think proper, and that the order of Tuesday last, for their removal to Virginia, be superseded:"

Resolved, That the commanding officer in the northern department be empowered for the term of four months, from the date of this resolution, to suspend any officers, under his command, for mal-conduct, and to appoint others in their room, till such time as the pleasure of Congress can be known, concerning the person or persons so suspended; and that he report to Congress, with as much despatch as possible, the names of such as he may suspend, with the cause of their suspension.

Resolved, That it be a standing rule, that every morning after the reading of the public letters, and giving orders concerning them, that the reports of the Board of Treasury and the reports of the Board of War, if any there are, be immediately taken into consideration.

The Board of War brought in a report, which was read:

Ordered, That the consideration thereof be postponed till to morrow.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

FRIDAY, AUGUST 15, 1777

At 10 o'Clock, absent	New York,	¾ after 11
	New Jersey Maryland Virginia N. Carolina	½ after 10
	Georgia	¾ after 11

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A letter, of the 14, from H. B. Livingston, with sundry papers enclosed, and one, of the 24 of July, from Governor Henry, of Virginia, were read:[1]

Ordered, That the former be referred to the Board of War, and the latter to the Board of Treasury.

Congress took into consideration the reports of the Board of War; Whereupon,

Resolved, That the executive authorities in the several States be requested to transmit to Congress accounts of all monies advanced, and expences incurred by prisoners of war, during their residence in their respective States, and that such accounts be transmitted within the space of 12 weeks after receipt of this notice, or else to be forever thereafter foreclosed.[2]

Resolved, That the part of Colonel Richardson's letter which relates to Thomas Lightfoot, be sent to the executive council of Pensylvania, with a request to have him secured.[3]

Resolved, That a copy of that part of Colonel Richardson's letter which relates to Thomas Cockayne, George Walton and Thomas Lightfoot, of Sussex county, in the state of Delaware, be transmitted to president M'Kinley, and that he be desired forthwith to take order for the apprehension and confinement of the said Cockayne, Walton and Lightfoot; and that Colonel Richardson be ordered to afford every assistance in his power to president M'Kinley, and the officers whom he shall employ in this necessary service.

On the next proposition an amendment was moved as follows: "Congress took into consideration a letter from

[1] This letter is in the *Papers of the Continental Congress*, No. 78, XIV, folio 179.

[2] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 307. The members of the Board present were Samuel Adams, George Clymer and William Duer.

[3] The letter of W. Richardson is in the *Papers of the Continental Congress*, No. 78, XIX, folio 143.

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Colonel Richardson, of 9 August, in which he informed Congress that he had seized and sent to Congress Peter and Burton Robinson, subjects of the Delaware State, accused of carrying on a criminal correspondence with the enemy, and thereupon resolved that they be immediately conveyed to the executive power of the Delaware State;"[1]

The question put, carried in the negative. The question was then put on the proposition, carried in the affirmative, as follows:

Resolved, That Peter and Burton Robinson, be remanded to the Delaware State, whenever president M'Kinley shall order or request it.

A motion was then made as follows: "It being represented to Congress, that a large majority of the inhabitants of Sussex county, in the Delaware State, are disaffected, *Resolved*, That it be recommended to the State of Delaware, to pass a law, directing any inhabitant of that county, charged with treason, misprision of treason, or high and dangerous offences against that State, to be tried in any other county of the State:"

Moved to strike out the preamble, carried in the affirmative. Question on the resolution carried in the negative.

Resolved, That it be recommended to the president of the Delaware State, to order 20 light horse to join Colonel Richardson, in the county of Sussex, and give him all assistance in their power, to execute the directions of the said State, in the room of the 200 militia ordered there.[2]

Congress took into consideration the report of the Board of Treasury of the 13th, and thereupon, came to the following resolutions:

Whereas, the State of Georgia has advanced very considerable sums of money, for the pay and subsistence of

[1] This proposition, in the writing of Samuel Chase, is in the *Papers of the Continental Congress*, No. 147, I, folio 346.

[2] In the *Papers of the Continental Congress*, No. 147, I, folio 345, are those resolutions in the writing of John Adams and [?]

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continental troops employed by the directions of Congress, in the defence of that State, and for that, and other continental uses, emitted bills of credit and certificates, which they are very desirous should be redeemed and cancelled; and it being just and reasonable that the accounts of such expenditures should be forthwith settled, and the balance which shall appear to be due from the United States paid, and that a further provision should be made for supplying the military chest, in Georgia, with money, for the pay and subsistence of the troops stationed in that State for the future:

Resolved, therefore, That commissioners of accounts be appointed to state and settle all accounts and claims respecting the United States, which have arisen or shall arise in North Carolina, South Carolina and Georgia, and that they repair, without delay, to Georgia, and examine and adjust all continental accounts with that State, or any officers or individuals within the same, and that they be empowered to receive and pay the balances of accounts, as they shall be respectively owing to, or from, the United States, and report their proceedings to the treasury board, in order to their being laid before Congress and finally confirmed.

Resolved, That 400,000 dollars be remitted to the State of Georgia, on account of the monies so advanced by that State, for the use of the United States; that such sum be paid out of the money hereafter directed to be emitted, unless the Board of Treasury shall be of opinion, that it may be sooner spared from the treasury, in which case a warrant shall issue on their application without respect to the said emission: That the warrant shall be drawn on the treasurer at Baltimore, or auditor general, as, in the opinion of the Board of Treasury, shall be most convenient, and in favour of the Board of War, who are to transmit the money to the said State, [for the sole purpose

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of calling in, exchanging and cancelling all such bills of credit and certificates as have been emitted by that State, for the pay and subsistence of the troops of the United States and other continental purposes:][1]

That another warrant shall issue in the manner prescribed by the preceding resolution, in favour of the Board of War, for 300,000 dollars, to be remitted by them to the deputy pay master general, for the pay and subsistence of the continental troops in Georgia:

That if, on the settlement of accounts between the United States and the State of Georgia, less shall appear to be due to that State than the sum directed to be transmitted, the surplus shall be paid by the said State into the hands of Joseph Clay, Esqr deputy pay master general at Georgia, whose receipt shall be a sufficient voucher; but, if more shall appear to be due to the said State, the balance shall be paid to the said State by the said deputy pay master general, on the warrants of the commissioners who shall adjust the account.

Resolved, That as a fund for the above and other purposes, one million of dollars be emitted under the direction of the Treasury Board, and on the faith of the United States: that the bills shall, excepting the numbers, be of the same tenor and date as the emission now executing, be numbered from the last number of each respective denomination of that emission progressively, and consist of the following denominatiens, to wit: 15,384 bills of the denomination of 3 dollars, the like number of 4 dollars, the like number of 5 dollars, the like number of 6 dollars, and the like number of 7 dollars respectively, and 15,385 of the denomination of 2 dollars, and the like number of 8 dollars, and the like number of 30 dollars respectively:

[1]The words in brackets are in the writing of James Duane.

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That all powers and duties of Michael Hillegas, Esq[r] and of the inspectors of the press, signers and printers of the said emission now executing, shall extend to the said one million to be emitted, subject, however, to such directions and instructions as the Board of Treasury may judge expedient:[1]

Resolved, That all former resolutions of Congress respecting the premises be repealed.

A memorial from Nicholas Garret, was read:

Ordered, To be referred to the Board of Treasury.

The committee to whom was referred the consideration of the petition of Peter Knight and John Green, report, "That, having heard the arguments of counsel upon the said petition, they are of opinion, from the particular circumstances of the case, that the appeal of the said Knight and Green, from the sentence of the court of admiralty for the State of Georgia, in the cause Major John White and Lieutenant John Hardy, against the sloop *Polly*, &c. should be received and heard, notwithstanding the said appeal was not entered within five days, or lodged within forty days, as directed by the resolve of Congress;" Whereupon,

Resolved, That it be received.

The several matters &c. ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

SATURDAY, AUGUST 16, 1777

A letter, of the 15, from General Washington, at the Cross Roads; one, of the 10, from General Schuyler, at Albany; one, of the 7, from Colonel G. Morgan, at Fort

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 355.

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Pitt, with the minutes of a treaty with the Indians; also, a letter from Brigadier Hand to the Board of War, were read:[1]

Ordered, That a copy of the letter from General Washington be sent to the ~~Continental Navy Board~~ supreme executive council of Pensylvania, and that they be requested to have the General's views carried into execution with all possible despatch.

Resolved, That a committee of five be appointed to take into consideration the state of the western frontiers, and the northern department, and report thereon as soon as possible:

The members chosen, Mr. [William] Duer, Mr. R[ichard] H[enry] Lee, Mr. [James] Wilson, Mr. J[ohn] Adams and Mr. [Samuel] Chase.

Resolved, That Monday next be assigned for taking into consideration the articles of confederation.

Resolved, That the report of the Committee of Treasury, on the ways and means of raising supplies for carrying on the war, be referred to a committee of the whole Congress.

Ordered, That the letters lately received from the commissioners at Paris, be referred to the said committee.

The House then resolved itself into a committee of the whole. The president left the chair. Mr. [Benjamin] Harrison took the chair of the committee. The president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the matters referred to them, but not having come to a conclusion, desire leave to sit again.

Resolved, That Congress will, on Monday next, resolve itself into a committee of the whole, to consider farther

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 481. That of Schuyler is in No. 153, III, folio 242; that of Morgan, in No. 163, folio 277.

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of the ways and means of raising supplies for carrying on the war.

Resolved, That 300 dollars be advanced to Daniel Joy, for public service, he to be accountable:

That 300 dollars be advanced to R. Peters, secretary of the Board of War, for contingent expences, he to be accountable.

The committee on the state of the western frontiers and northern department, brought in a report, which was taken into consideration; Whereupon,

Resolved, That General Washington be informed, that, in the opinion of Congress, 500 riflemen, under the command of an active and spirited officer, should immediately be sent into the northern department, to assist in opposing the incursions of the enemy in that quarter.

The committee further report, that not having had time to take the whole matter referred to them into consideration, desire leave to sit again:

Ordered, That they have leave.

Resolved, That the president and supreme executive council of Pensylvania, be requested to give Brigadier Hand such assistance from the militia of the counties of Westmoreland, Northumberland and Bedford, as General Hand may think necessary.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday next.

MONDAY, AUGUST 18, 1777

A letter, of the 8, from General Schuyler, with a copy of a letter from General Lincoln;

One, of the 16, and two of the 17, from General Washington;

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Also a letter, of the 6th, from S. Hopkins, with a copy of the journal of proceedings of a committee from New Hampshire, Massachusetts bay, Rhode Island, Connecticut and New York, were read:[1]

Ordered, That so much of the foregoing letters as relate to the northern department, be referred to the committee on the state of the western frontiers and northern department; and that the remainder of the General's letters be referred to the Board of War;

A memorial from J. Wynkoop was read and referred to the Board of Treasury.

Ordered, That the letter from S. Hopkins, with the journal of the proceedings of the committee from the eastern States, be referred to a committee of three.

The members chosen, Mr. [Henry] Laurens, Mr. [Joseph] Jones and [John] Witherspoon.

A letter, from Governor Henry, of Virginia, to the delegates of that State, with sundry papers enclosed, was laid before Congress, and read:

Ordered, That the same be referred to the Board of War.[2]

The Congress being moved to pass sundry resolutions, and the same being read,

Ordered, That the same be referred to the Marine Committee.[3]

Congress took into consideration the reports from the Board of Treasury; Whereupon,

Resolved, That there be advanced to Captain George Price, of Colonel Morgan's 11th Virginia batallion, for the use of his company lately raised, and now on their

[1] The letter of Schuyler is in the *Papers of the Continental Congress*, No. 153, III, folio 234; those of Washington are in No. 152, IV, folios 485–493, and that of Hopkins in No. 78, XI, folio 207.

[2] This letter is printed in the *Pennsylvania Archives*, second series, III, 116.

[3] Printed as the report of the Marine Committee under August 21, 1777.

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march for the camp, 2000 dollars, to be charged to the said batallion.[1]

~~Resolved, That all officers and soldiers prisoners, who have been released by the enemy on their parole, shall continue to receive pay during the continuance of their parole, notwithstanding the time of their enlistment may have expired, until they are regularly exchanged.~~

Resolved, That the sum of five hundred dollars be advanced to the commissioners of accounts, at the treasury office, for the purpose of paying arrearages due to prisoners, for which the said commissioners are to be accountable.[2]

Resolved, That there be advanced to Captain Samuel Kearsley, of an independent company of continental troops, 1000 dollars, to purchase blankets for the said company and Captain Irwin's independent company, by the special orders of General Washington, and the approbation of the clothier general; the said Captain Kearsley, to be subject to the directions of the clothier general, and to account to him for the expenditure of the money, which is to be charged to the account of the cloathier general:

Resolved, That there be advanced to Colonel Chevalier de Lesser and to Colonel Chevalier de Valcourt, respectively, 450 dollars; and to Captain de Vrigney, 240 dollars, for which they are severally to be accountable.[3]

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 363.

[2] This formed the second paragraph of a report dated August 12. The first paragraph, ordered to lie, was as follows:

"*Resolved*, That all Officers and Soldiers Prisoners, who have been released by the Enemy on their Parole, shall continue to receive Pay during the continuance of their Parole, notwithstanding the time of their inlistment may have expired, untill they are regularly exchanged." The report is in the *Papers of the Continental Congress*, No. 136, I, folio 351.

[3] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 365.

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That there is due, to Captain George May, of Colonel Haller's batallion of Berks county flying camp, for sundry meals supplied his company previous to their joining the flying camp; also, for sundry flints delivered Colonel Haller, and for three gun-locks, lost at Fort Washington, the sum of 75 8/90 dollars:

That there is due to Abraham Holmes, for sundry meals supplied the militia on their march through Lancaster to join the camp, the sum of 11 12/90 dollars:[1]

That there is due to Thomas M'Coy, late ensign in the 7th Pensylvania regiment, a balance of his account, for pay and rations, from the 1 October, 1776, to 10 August, 1777, the said M'Coy having been made a prisoner in Canada, and lately exchanged at Halifax, the sum of 185 23/90 dollars:

That there is due to Lieutenant William Allen, of Captain Green's company of the Lancaster county flying camp, for subsistence, paid by him, for men of his company, flints, powder-horns and shot-pouches, lost on Long Island, and for the pay due to one lieutenant and three privates, which he advanced, the sum of 83 dollars:[2]

Ordered, That the said accounts be paid.

Resolved, That the report of the Board of War of the 14 be re-committed.

Congress then resolved itself into a committee of the whole, to consider farther on the report of the committee on the ways and means of raising supplies for carrying on the war. The president left the chair. Mr. [Benjamin] Harrison took the chair of the committee. The president resumed the chair. Mr. Harrison reported, that the committee have had under consideration the report to

[1] These paragraphs formed a report, dated August 14, in the *Papers of the Continental Congress*, No. 136, I, folio 359.

[2] These paragraphs are in a report, dated August 15, in the *Papers of the Continental Congress*, No. 136, I, folio 361.

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them referred, but not having had time to come to a conclusion, desire leave to sit again.

Resolved, That Congress will, to morrow, resolve itself into a committee of the whole, to consider farther the report of the Board of Treasury, on the ways and means of raising supplies ||for carrying on the war.||

Resolved, That 2,000 dollars be advanced to the State of Maryland, to be paid to the delegates ||of that State,|| and for which the said State is to be accountable.

A petition, from William Pyot, and one from Lawrence Greenholm, were laid before Congress:[1]

Ordered, That they be referred to the Board of War.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

TUESDAY, AUGUST 19, 1777

A letter, of the 18th, from General Washington, was read.[2]

Resolved, That the Hessian field officers and Colonel Campbell, be admitted to their parole, on the terms prescribed for officers who are prisoners.

The committee "appointed to digest and report the mode of conducting the enquiry into the reasons of the evacuation of Ticonderoga and Fort Independence, and into the conduct of the general officers of the northern department, at the time of the evacuation," brought in a report, which was read:

Ordered, To lie for consideration.

[1] The petition of Pyot is in the *Papers of the Continental Congress*, No. 42, VI, folio 182. It is endorsed by Richard Peters: "Allowed on giving usual parole or oath not [to] give Intelligence or take up Arms." The petition of Greenholm is in No. 42, III, folio 193.

[2] This letter is in the *Papers of the Continental Congress*, No. 152, IV, folio 501.

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Congress resolved itself into a committee of the whole, to take into consideration the report of the Board of Treasury, on ways and means of raising supplies ||for carrying on the war.||

The president left the chair. Mr. [Benjamin] Harrison took the chair of the committee. The president resumed the chair. Mr. Harrison reported, that the committee have had under consideration the matter to them referred, but not having come to a conclusion, desire leave to sit again.

Resolved, That Congress will, to morrow, resolve itself into a committee of the whole, to consider farther the report of the Board of Treasury to them referred, ||on the ways and means of raising supplies for carrying on the war.||

The committee of the treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That there be advanced to Captain William Peery, of an independent company, stationed at Lewistown, in the State of Delaware, 500 dollars, for the pay and subsistence of the said company, for which he is to be accountable.[1]

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to Captain William Peery, of an independent company, appointed by Congress to guard Lewistown, and the pilots and others in that quarter, on a pay-roll due to a company of militia which he commanded, also on a pay and subsistence roll due to his independent company to the 1st inst. also a doctor's and blacksmith's bills, amounting, in the whole, to 3,542 63/90 dollars, of which he received of Governor M'Kinley, of the State of Delaware, 1,500 dollars; the sum of ||a balance of|| 2,042 63/90 dollars:

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 369.

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That there is due to James Hopkins, his account of eight men's services for 30 days each, by order of General Washington, on a secret expedition down the Delaware the sum of 491 75/90 dollars:

That there is due to Robert Lunn, late a serjeant in Captain Vernon's company of Colonel Wayne's batallion, 10 months and 26 days half-pay, being from the time he was regularly discharged to the time of his inlisting in Colonel Nicola's corps of invalids, amounting, in the whole, to the sum 43 42/90 dollars, of which he received, from Mease and Caldwell, 4 dollars; the remainder 39 42/90 dollars.[1]

Ordered, That the said accounts be paid.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Congress taking into consideration the letter from Governor Henry, of Virginia, to the delegates of that state, in Congress, [representing the behaviour of Lieutenant Colonel Carrington, of Colonel Harrison's corps of artillery][2],

Resolved, That any officer now in Colonel Harrison's regiment of artillery, shall have liberty to leave the said regiment on being appointed to any office or command in the corps of artillery raising, or to be raised in Virginia, by the said State, and that the said Colonel Harrison's regiment be under the direction of his excellency Governor Henry, during the time of its stay in that State.

Resolved, That the behaviour of Lieutenant Colonel Carrington towards Governor Henry, as set forth in the governor's letter of the 8th instant to the delegates of Virginia, is highly indecent and reprehensible, and that unless the said Lieutenant Colonel Carrington in the

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 367.

[2] The brackets are in the MS. journals.

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space of five days after being notified of this resolution make such concessions to the Governor as he and the council of the said State shall approve of, Colonel Carrington be dismissed from the service of the United States.[1]

Resolved, That this Congress will, on all occasions, discountenance and punish any indecent behaviour of any officer or officers in the continental service, towards the civil authority of the several states.

The Board taking into Consideration General Washingtons Letter of the 16th instant,

To Lie

Resolved, That General Washington be informed that Mr George Ewing is appointed Commissary General of Hides, with full power to carry into execution the several matters mentioned in the Generals letter relative to hides and Tanneries.

That the Commissary General of Purchases be empowered and directed either to set up a sufficient number of Distilleries for distilling strong Liquor from grain, or exchange grain for distilled liquor for the use of the Army, as he shall think most prudent and conducive to the public Interest.

To Lie

That the sum of dollars be allowed to every Officer of Cavalry who shall lose his horse in actual Service, or by unavoidable accident.[2]

Resolved, That a copy of General Lincoln's letter be forthwith transmitted to the council of New Hampshire, and that they be informed that the instructions which General Stark says he has received from them, are destructive of military subordination, and highly prejudicial to the common cause at this crisis; and therefore that they be desired to instruct General Stark to conform himself to the same rules which other general officers of

[1] In the margin is written "Not to be printed. See 23 May, 1778."

[2] To this point the resolutions are based upon a report of Board of War, dated August 18, with John Adams, Samuel Adams, Francis Lightfoot Lee and James Wilson present.

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the militia are subject to, whenever they are called out at the expence of the United States.[1]

Ordered, That the rest of the report lie for consideration.

The several matters to this day referred being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, AUGUST 20, 1777

A letter, of the 2d, from Benjamin Harrison, deputy pay master general in the southern department, was read.[2]

Resolved, That the pay of the pay master general be increased to 150 dollars per month:

That the pay of the deputy pay master general be increased to 75 dollars per month.

~~Congress was moved to pass a resolution respecting Brigadier Stark's conduct; after debate on motion made and the question put,~~

~~Resolved, That the consideration thereof be postponed.~~[3]

[1] This report was dated August 19, with John Adams, George Clymer, James Wilson and William Duer, present. The two reports are in the *Papers of the Continental Congress*, No. 147, I, folio 321.

[2] This letter is in the *Papers of the Continental Congress*, No. 78, XI, folio 203.

[3] "The inclosed is a copy of General Lincoln's letter to General Schuyler and the Resolution of Congress on receiving it, which was the 19th Instant. Some of the southern Gentlemen made themselves very warm on the occasion, threw out many illiberal reflections on General Stark, and some on the Legislative authority of the State of New Hampshire, which made your delegates sit very uneasy in their chairs even to give them time to go through. But in our turn we informed Congress that we had no information from the State of New Hampshire to inform us what the reasons were that induced them to give such orders to General Stark; but that we had rec'd a letter from the Honble. Josiah Bartlett, a member of the Council of that State and lately a member of Congress, which had given us some of their reasons, and were such in our opinion as were conclusive, and would justify the conduct of that State in the eyes of the whole world: That, in the first place, the Militia

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The Marine Committee, to whom certain motions were referred, brought in a report, which was read:[1]

Ordered, To lie for consideration.

A letter, from the president and council of Pensylvania, to the delegates of that State in Congress, was laid before Congress and read:[2]

Ordered, That it lie for consideration till to morrow, and that the deputy muster master general immediately muster the militia of Pensylvania, that are now in the field, beginning with those at Chester.

of that State had lost all confidence in the General Officers who had the command at Tyconderoga when it was evacuated and given up to our enemies; that they would not turn out nor be commanded by such officers; that the preservation of the lives of the inhabitants on our frontiers and the cause in which we were all engaged, made such orders at that critical time absolutely necessary; that we were not about to justify General Stark for making a demand of rank in the army at that critical time, but we well knew he had a great deal to say for himself on that head, and that he had been in almost all the engagements to the northward, and distinguished himself, while others were advanced over his head. Yesterday a motion was made by Maryland and seconded, that a Resolve of Congress might be passed to censure his conduct in refusing to submit to the Rules and Regulations of the Army; on which a large debate ensued, in which we were supported by all the New England Delegates and Some of the Virginians: On motion being made, it was agreed it should lie on the table and carried by a grate majority. We inform'd Congress that a motion of that sort came with a very bad grace from Maryland who, only, of the thirteen United States had seen fit to make laws directly in opposition to Congress, by refusing that their militia should be subjected to the rules and regulations of the army when joynd; And we informed Congress that we had not the least doubt but the first battle they heard of from the North, would be fought by Stark and the troops commanded by him, * * * and that I should not be afraid to risque my honor nor my life, they would do as much towards the defence of that part of the country and the common cause, as the same number of any of the troops in that department.

"I will leave you, Sir, to judge of our feelings, when the very next day we had a confirmation of what we had asserted by an express from General Schuyler, giving an Account of the victory obtained by General Stark and the troops under his command. We believe this circumstance only will make those easy who have been trying to raise a dust in Congress." The *Delegates of New Hampshire in Congress* 22 August, 1777. *New Hampshire State Papers*, VIII, 663.

[1] Printed under August 21, 1777.

[2] This letter is in the *Papers of the Continental Congress*, No. 69, I, folio 391. It is printed in *Pennsylvania Archives*, First Series, V, 536.

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Congress took into consideration the report of the committee on the mode of conducting the enquiry into the reasons of the evacuation of Ticonderoga and Fort Independence, and into the conduct of the general officers who were in the northern department at the time of the evacuation; and, after debate,

Resolved, That the same be re-committed.

The committee on the state of the western frontiers and the northern department, brought in another report, which was taken into consideration; Whereupon,

Resolved, That General Washington be directed to call on the governor of New Jersey for 1,000 men, to relieve a like number of the militia of the state of New York, at present employed in garrisoning the forts on Hudson's river, in order that the said militia may be employed in repelling the invasion of the enemy on the frontiers of that state:

Resolved, That an extract of Colonel [George] Morgan's letter, which relates to a farther supply of money, be referred to the Board of Treasury.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, AUGUST 21, 1777

Sundry letters were read, viz:

A letter, of the 20, from General Washington, enclosing an extract of a letter, of the 15, from General Schuyler; also a letter, of the 15, from General Schuyler, with an address to him from six general officers, requesting him "that, on his being relieved, previous to his leaving the country, he will use his influence with the militia, that,

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without loss of time, they join the army, a measure necessary for their own, as well as for the safety of the public, relying on it, should he be detained on this important business, his doing it will be approved by Congress."[1]

Ordered, That the extract of the letter from General Schuyler to General Washington, be referred to the committee of intelligence; that the letter from General Schuyler be referred to the Board of War:

Congress being informed that a large collection of tar is made at Wilmington, in North Carolina, and that the enemy's fleet is now upon the southern coast:

Resolved, That it be earnestly recommended to the executive power of North Carolina, to cause all the military and naval stores in the said State, to be removed to places of security, with all possible expedition, it being of the greatest consequence to the United States, that the same should not fall into the enemy's hands; and that such stores should be destroyed rather than to be possessed by the enemy.

Resolved, That a committee of five be appointed to consider the state of South Carolina and Georgia:

The members chosen, Mr. [Henry] Laurens, Mr. R[ichard] H[enry] Lee, Mr. [James] Wilson, Mr. [Cornelius] Harnett, and Mr. [Samuel] Chase:

Ordered, That the committee sit this afternoon, and report as soon as possible.

Congress took into consideration a report of the Board of War of the 23 July; Whereupon,

Resolved, That Allan M'Donald, of Kingsborough, North Carolina, a captain in the British regular service, be permitted to go into New York to negotiate an exchange for

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 505. That of Schuyler is in No. 153, III, folio 246.

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himself and his son, a lieutenant in the same service; he to give his parole not to convey to the enemy or bring back any intelligence whatever of a political nature, and to return in a certain time to be fixed by his parole or when called for, on behalf of the United States.

Congress took into consideration the report of the Marine Committee:

Resolved, That if, upon due consideration, jointly had by the navy board for the eastern department, and the governor and council of war for the State of Rhode Island, and for which purpose the said navy board are directed to attend upon the said governor and council of war, the preparing fire-ships be judged practicable, expedient, and advisable, the said navy board immediately purchase, upon as reasonable terms as possible, six ships, or square-rigged vessels, at Providence, in the State of Rhode Island &c., the best calculated for fire-ships; that they employ proper persons to fit and prepare the said fire-ships with all possible expedition; that the said navy board provide proper materials therefor, and employ a proper captain or commander, one lieutenant, and a suitable number of men for each of the said ships or vessels, of approved courage and prudence; and that notice be given to all the commanders of the continental ships and vessels in the port of Providence, to be in readiness to sail at a moment's warning: That, as soon as the said fire-ships are well prepared, the first favourable wind and weather be embraced to attack the British ships and navy in the rivers and bays of the state of Rhode Island &c.: that the officers of the continental navy there favour, as much as possible, this design, and use their utmost efforts to get out to sea, and proceed upon such cruize, or to such ports as the said navy board, or the Marine Committee, shall appoint or order.

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Resolved, That the governor of the said State of Rhode Island &c. and the council of war of that State, be acquainted with the foregoing resolves; and that they be requested to afford every assistance in their power in effecting the above purposes.

Resolved, That General Spencer be made acquainted with the foregoing resolves, and that he be instructed, as far as possible, to favour, the said designs, by such attacks or feints as he may judge proper with the troops and boats under his command.

Resolved, That secrecy, as much as possible, be recommended in carrying into execution the foregoing resolves.

Resolved, That the sum of 4,000 dollars be paid to the officers and men on board every fire-ship or vessel which shall actually set on fire and destroy any one of the enemy's ships of war, in any of the bays, rivers or harbours, in the State of Rhode Island &c., of 20 guns or upwards; and 3,000 dollars for every ship or vessel of war under 20 guns; and 1,500 dollars for every transport; the proof of the execution done to be certified by the [commodore] commander or commanding officer, or by the oath of such person or persons as may be witness to the fact.

Resolved, That the rewards aforesaid, shall be divided in the following proportion: one-fourth to the captain or commander of such fire-ship or vessel, one-seventh to the lieutenant, and the remainder to the crew, to be equally divided amongst them.

Ordered, That the Marine Committee collect the best intelligence and instructions they can, respecting the best method of constructing fire-ships, and send the same to the Navy Board of the eastern department.[1]

[1] This report, in the writing of Henry Marchant(?) is in the *Papers of the Continental Congress*, No. 36, I, folios 9 and 11a. The last paragraph is in the writing of Charles Thomson.

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Ordered, That the Board of War direct Messrs. Hughes, of Maryland, to deliver unto the order of the governor of Maryland, 4 twelve pounders, to be paid for, or returned by that State.

The Committee on Foreign Applications, brought in a report, which was read ||taken into consideration:|| Whereupon,

Resolved, That a commission of lieutenant colonel be immediately given to the Chevalier de Failly, and that he be paid in that rank from the 1st of December last, and ordered to repair forthwith to the northern army:[1]

Resolved, That Mons. Epiniers receive a commission of captain.

Resolved, That the remainder of the report lie for farther consideration.

Congress took into consideration the memorial of Colonel Hazen, the report of the Board of Treasury, and of the commissioners for auditing accounts; during the debate an express arrived, with a letter of this day from General Washington, which was read; Whereupon, the consideration thereof was postponed for two hours, and Congress adjourned to 5 o'Clock.

FIVE O'CLOCK, P. M.

Congress took into consideration the letter of the 21 from General Washington, and the proceedings of the council of war ||enclosed therein||: and thereupon,

Resolved, That Congress approve of the plan of marching the army towards Hudson's river, and then that General Washington act as circumstances may require.

A letter, of the 18th, from General Schuyler, was read:

Ordered, That it be referred to the Committee of Intelligence.

The several matters to this day referred being postponed,

Adjourned to 10 o'Clock to Morrow.

[1] See under August 13, *ante*.

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FRIDAY, AUGUST 22, 1777

A letter, of the 21, from General Washington, enclosing a letter, of the 20th, from General Newcomb;

Another, of the same date from General Washington, were read.[1]

Ordered, That they be referred to the Board of War.

Ordered, That the Board of War send to Virginia, with all possible despatch, four brass field-pieces, if the public service will admit.

The Committee on the Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That that there be advanced to Thomas Butler, Esqr continental armourer, the sum of 1,600 dollars, for the use of his department, he to be accountable:

That there be advanced to Everhart Michael, Esqr pay master of the German batallion, the sum of 2,000 dollars, for the use of the said batallion, for which he is to be accountable.[2]

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to Jacob Hinkle, for 136 meals supplied the militia of Cumberland county, on their march to camp, the sum of 13 54/90 dollars:

That there is due to Lieutenant Nicholas Garret, late of Colonel Magaw's regiment, a balance of his account for his pay, bounty money advanced to ten men he recruited, as also their subsistence and inlisting money, &c. amounting to £178 7 9, of which he received from Major Benezet, £135, the balance being 115 63/90 dollars, to be paid him, and charged to the said regiment:[3]

[1] These letters are in the *Papers of the Continental Congress*, No. 152, IV, folios 509, 517, and 521. The last is printed in *Writings of Washington* (Ford), VI, 45.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 371.

[3] This report is in No. 136, I, folio 373.

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Ordered, That the said accounts be paid.

~~Congress was moved "that Major Livingston aid to General Schuyler, who brought to Congress an account of the late success of Brigadier Stark be presented with a commission of lieutenant colonel." The question being put, and the states called, there were 5 ayes, two noes, and three divided. The question being for promotion, and there being only five affirmatives the question was lost.~~

~~At the request of Maryland the yeas and nays were taken and are as follows:~~

~~YEAS~~

~~Folsom~~	~~Chase~~	~~Harnet~~
~~Witherspoon~~	~~W. Smith~~	~~Middleton~~
~~Wilson~~	~~Harrison~~	~~Heyward~~
~~Clymer~~	~~R. H. Lee~~	

~~NAYS~~

~~S. Adams~~	~~Dyer~~	~~J. B. Smith~~
~~J. Adams~~	~~Law~~	~~Laurens~~[1]
~~Lovel~~	~~Elmore~~	
~~Marchant~~	~~Roberdeau~~	

Advice being received that the enemy's fleet are in Chesapeake Bay between Rock Hall and ||the mouth of|| Patapsco || river,[2] ||

Ordered, That the Board of War give immediate orders for removing the prisoners and public stores from Lancaster and Yorktown, to places of greater safety:

That the Treasury Board take immediate and effectual measures for the security of the treasury at Baltimore:

That the president write to Captain Nicholson, and inform him, it is the desire of Congress, in case his vessel

[1] In the margin is written: "After debate ordered to be Expunged, and the matter referred to the Board of War."

[2] This was in the form of a letter from W. Bordley to William Paca, dated August 21, 5 o'clock p. m. It is in the *Papers of the Continental Congress*, No. 78, II, folio 225.

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cannot be saved from falling into the hands of the enemy, otherwise than by destroying her, that in that case he destroy her, saving as much of her tackle, furniture and stores as he can.

Resolved, That General Washington be informed, by express, of the intelligence Congress hath this day received, of the British fleet advanced high up the bay of Chesapeake, and, therefore, that it is probable the enemy have the city of Philadelphia in contemplation; that as the distance from the head of the said bay to this city is so small, Congress wish the General, in consequence of this information, to proceed in such manner, as shall appear to him most conducive to the general interest, notwithstanding the resolution of yesterday, concerning his progress to the North River.

Resolved, That Mr. [Joseph] Jones, Mr. [Samuel] Chase, and Mr. [Daniel] Roberdeau, be a committee to prepare a resolution for calling forth the militia of Pensylvania, and the neighbouring states.

Adjourned to 5 o'Clock.

FIVE O'CLOCK, P. M.

Resolved, That Ludowic Sprogle be empowered and directed to muster the militia of Pensylvania instead of the deputy muster master general, whose indisposition prevents his performing that service.

||The committee appointed to prepare a resolution for calling forth the militia, brought in a report, which was taken into consideration; Whereupon,||

Resolved, That it be earnestly recommended to the State of Maryland, immediately to call out not less 2,000 select militia, to repel the expected invasion by the enemy of the states of Pensylvania, Delaware and Maryland;

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that 1,250 of the militia on the Western shore of Maryland, repair, as soon as possible, to Baltimore and Harford towns; that 750 of the militia on the Eastern shore, repair as soon as possible to Georgetown, on Sassafras, there to wait the directions of General Washington:

That the State of Pensylvania be requested to keep up 4,000 of their militia to assist in repelling the threatened invasion of the enemy by the way of Chesapeake and Delaware bays; that these rendezvous at Lancaster, Downing-town and Chester, as the council of the said State shall direct, and that they be subject to the orders of General Washington:

That the State of Delaware be requested to call out 1,000 of their militia to rendezvous at New Port and Christiana Bridge, there to wait the orders of General Washington:

That the State of Virginia be requested to draw out one-third of the militia of each of the counties of Prince William, Fairfax, Loudon, Berkely, Frederick, Dunmore, Fauquier and Culpepper, and march them to Fredericktown, in the State of Maryland, there to wait the orders of General Washington:

That the militia requested from the states aforesaid, be in the pay of the Continent to the 30 day of November next, unless sooner discharged by Congress, or the commander in chief:

That it be recommended to each of the above states, to remove all boats and other craft, provisions, grain, naval and military stores, provender, cattle and all live stock, waggons, carts and horses, in the way of the enemy's march, to places of safety, and to destroy what cannot be removed.

That General Washington be directed to order Brigadier Smallwood and Colonel Gist, to repair immediately

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to the State of Maryland, to arrange, march and command the militia required of that state.

The several matters &c. ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

SATURDAY, AUGUST 23, 1777

A letter, of the 22, from General Washington;

One of the 21, from Colonel J. E. Howard, at Baltimore; two, from Governor Johnson; and sundry other letters from sundry persons in Baltimore, respecting the enemy's fleet in Chesapeake bay; were read.

A letter, from Lieutenant Edward Cowan, of Captain Weaver's company, was read, praying for leave to resign his commission:[1]

Ordered, That he have leave to resign.

Resolved, That the president inform General Washington, that Congress never intended by any commission hitherto granted by them, or by the establishment of any department whatever, to supersede or circumscribe the power of General Washington as the commander in chief of all the continental land forces within the United States.

A letter, of this day, from General Washington, was read:[2]

Ordered, That it be referred to the Board of War.

Congress took into consideration ||the committee, to whom was re-committed|| the report of the committee on

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 535. It is printed in *Writings of Washington* (Ford), VI, 49. That of Howard is in No. 78, XI, folio 223; those from Johnson in No. 70, folios 215 and 219, with enclosures in No. 78, folios 227 and 229; that of Cowan, in No. 78, V, folio 101.

[2] This letter is in the *Papers of the Continental Congress*, No. 152, IV, folio 539. It is printed in *Writings of Washington* (Ford), VI, 50.

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the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and Mount Independence, &c ||and into the conduct of the general officers in the northern department, at the time of the evacuation.|| Upon the first paragraph a motion being made, and the question put to strike out "a committee of three members of Congress be appointed," and insert the words "that the judge advocate with the assistance of —— and —— be directed" ||should conduct the enquiry:|| carried in the negative.

On motion made to strike out "a committee of three" and insert "three commissioners not," and the question being put, carried in the affirmative.

The yeas and nays being required by New Hampshire, are as follows:

AYES.

Mr. Gerry,	Mr. Wilson,	Mr. Jones,
Lovell,	Clymer,	Harnett,
Law,	Chase,	Penn,
Duane,	Harrison,	Middleton,
Duer,	F. L. Lee,	Walton.
Witherspoon,		

NOES.

Mr. Folsom,	Mr. Williams,	Mr. R. H. Lee,
Frost,	Sergeant,	Heyward,
S. Adams,	Clark,	Laurens,
Marchant,	Roberdeau,	Brownson.
Dyer,	W. Smith,	

~~Ayes and noes. Mr. Dyer on calling the States, aye; on calling the individuals, no.~~

So the States were equally divided, one of the members having changed his opinion.

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At a Board of War, 23d *August*, 1777.

Present: Mr John Adams, Mr S. Adams, Mr Lee, Mr Wilson and Mr Clymer

Agreed to Report to Congress:

That the Subalterns in the Army be furnished with Muskets and Bayonets at the Expence of the States, and that all able bodied Fifers and Drummers be obliged to do duty as Soldiers and be furnished with Arms.

That no Officer having leave of absence from the Army take with him a Soldier as a Servant.[1]

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

MONDAY, AUGUST 25, 177

A letter, of the 23, from General Washington, with a letter of the 11, from General Schuyler enclosed, respecting some Caghnawaga Indians; one of the 20, from General Gates, at Van Schaack's island; one, of the 24, from Colonel H. Hollingsworth, at the Head of Elk; one, of the 13th, from Colonel Morgan, at Fort Pitt, with copy of sundry conferences with the Indians enclosed; one, of the 16, from Dr. Shippen, were read:[2]

Ordered, That General Washington's letter be referred to the standing Committee for Indian affairs; that so much of Colonel Morgan's letter as relates to money, be referred to the Board of Treasury, and that the remainder, with the papers enclosed, be referred to the Board of War; and that the letter from Dr. Shippen, be referred to the Medical Committee.

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 325.

[2] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 539. It is printed in *Writings of Washington* (Ford), VI, 50. The letter of Gates is in No. 154, I, folio 232; that of Hollingsworth, in No. 78, XI, folio 227; that of Shippen, in No. 78, XX, folio 147; and that of Morgan, in No. 163, folio 281.

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In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to Peter and Daniel Mallet, a balance of their accounts for supplying and paying the nine regiments from North Carolina, their rations from the time of leaving that State to the 1 August instant, amounting to £5,480 0 9 ||14,613 39/90 dollars,|| of which they credit 10,000 dollars, [£3,750] received from Benjamin Harrison, deputy paymaster general in Virginia, ||and credit|| for rations drawn out of the public stores, £382 14 2 ||1,020 50/90 dollars,|| for the difference between Carolina currency dollars at 8/ and dollars at 7/6 on 24,326 rations charged at 10 at 7/6 instead of 10*d* dollars at 8/, £4,196 16 10; the ballance £1,283 3 11, equal to 3,421 77/90 dollars:[2]

That there is due to Colonel Moses Hazen, 800 dollars, being for one hundred half Johannes he paid into the hands of Lieutenant Colonel Edward Antill of his regiment sometime in February, 1776, to be employed by him in raising recruits for a regiment of Canadians, and for which sum Colonel Antill is to be accountable; this sum stands charged in Colonel Hazen's account, reported the 30 ult., but the commissioners deducted it from the balance, until Colonel Antill's receipt should be produced for the payment, which is now done:[2]

Ordered, That the said accounts be paid.

The Committee on the Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That there be advanced to the delegates of the Commonwealth of Virginia 19,168 dollars, agreeable to an application of the hon^ble^ Patrick Henry Esqr governor of the said commonwealth, by letters dated the 24 day of July last, and an account of expenditures made by the

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 375.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 377.

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said commonwealth, for the use of the United States, and for which that commonwealth is to be accountable:

Resolved, That there be paid to the Chevalier de Failly three hundred and eighty dollars, in addition to one hundred dollars advanced him by warrant the 6 instant, it being in full of his pay as lieutenant colonel, for eight months, from the 1st of December last, and for which he is to be charged:[1]

Resolved, That a warrant be issued in favour of the Board of War for five hundred thousand dollars, to be sent to the pay master general for the use of the army and for which the said pay master general is to be accountable.

Resolved, That the same pay be allowed to the officers who served on board the fleet on Lake Champlain, as is allowed to officers of equal rank belonging to the navy of the United States.[2]

Resolved, That there be advanced to William Buchanan, Esqr commissary general of purchases one hundred thousand dollars, for the use of his department, and for which he is to be accountable.[3]

~~A motion being made respecting rations to soldiers and cloathing to officers,~~

~~Ordered, That it be referred to the Board of War.~~

Ordered, That the Board of War take speedy and effectual measures for having six thousand stand of arms brought from the magazine at Springfield to headquarters.

A letter, of this day, from General St. Clair, was read.[4]

[1] This report, dated August 23, is in the *Papers of the Continental Congress*, No. 136, I, folio 381.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 383.

[3] This report, in the writing of James Duane, is in the *Papers of the Continental Congress*, No. 136, I, folio 379.

[4] This letter is in the *Papers of the Continental Congress*, No. 161, folio 513.

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A petition, of Henry Sherer; one, of Jonathan Pearson; one, of Juliana Zedwitz; one, of Conrad Miller; one, of Captain Tenet; and one, of William Bunting, were read:

Ordered, That they be dismissed.

A petition, of John Rodgers; and one, of Beersheba Parsons, were read:[1]

Ordered, To lie on the table, and that the petitioners have liberty to withdraw them.

A petition, of John Cox, was read:[2]

Ordered, To lie on the table.

A memorial from Count Pulaski, was read:[3]

The Committee to whom was referred the Memorial of Count Pulaski, in which he solicits for such Rank and Command in the army of these united States as will leave him subordinate to the Commander in chief alone or to Him and the Marquis de La Fayette, report, as their Opinion that a Compliance with those Expectations would be as contrary to the prevailing Sentiments in the several States as to the Constitution of our Army, and therefore highly impolitic.[4]

Ordered, That it be referred to the Committee on Foreign Applications.

A memorial of Lewis John Baptist Chambaron de D'Antignac;[5] a petition, of Margaret Crohon; one, from Thomas Hill; one, from Shewbart Armitage; and one, from Mary Quick, were read:

Ordered, That they be referred to the Board of War.

A memorial from Lieutenant Jean Baptiste Mourgues;

[1] The petition of Sherer is in the *Papers of the Continental Congress*, No. 42, VII, folio 33; that of Miller, in No. 42, V, folio 57; that of Bunting, in No. 42, I, folio 147; that of Rodgers, in No. 42, VI, folio 419; and that of Parsons, in No. 42, VI, folio 180.

[2] This petition is in the *Papers of the Continental Congress*, No. 42, II, 32.

[3] This memorial, in French and a translation, is in the *Papers of the Continental Congress*, No. 41, VIII, folio 21.

[4] This report, in the writing of James Lovell, is in the *Papers of the Continental Congress*, No. 41, VIII, folio 25. It is doubtful if it was ever laid before the Congress.

[5] This memorial is in the *Papers of the Continental Congress*, No. 41, II, folio 412; that of Hill, in No. 42, III, folio 355; and that of Armitage, in No. 42, I, folio 37.

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one, from Baron Holtzendorf; and a petition from Elizabeth Parsons; and one, from Captain Brisben, were read:[1]

Ordered, That they be referred to the Board of Treasury.

A memorial from Leonard Prime and others, officers of the fleet on Lake Champlain, was read:

Ordered, That it be referred to the Marine Committee.

A petition of Levi Hollingsworth and Nicholas Rusk, was read:

Ordered, That it be referred to the delegates of Pensylvania and Maryland.

A letter, of this day, from General Washington, at Chester, enclosing copy of a letter of the 20th, from General Schuyler, at Albany, with a return of the northern army; also a copy of one of the 19th, from General Lincoln to General Schuyler, with a copy of General Burgoyne's instructions to Lieutenant Colonel Baum, were read:[2]

Ordered, That the instructions of General Burgoyne to Lieutenant Colonel Baum, be referred to the Committee of Intelligence.

Congress took into consideration the report of the committee on the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and Mount Independence, and into the conduct of the general officers in the northern department at the time of the evacuation,

~~Upon motion made and the question put to reconsider what passed on this report, and to expunge the entry made on the Journal on Saturday respecting the same, carried in the affirmative.~~

The question being then put on the first paragraph as it stands reported,

Carried in the affirmative.

[1] The memorial from Morgues, is in the *Papers of the Continental Congress*, No. 41, VI, folio 21. The name is spelled both ways in the paper, but is signed Morgues.

[2] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 547. It is printed in *Writings of Washington* (Ford), VI, 51.

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The yeas and nays being required by the state of New Hampshire, are as follows:

AYES.

Mr. Frost,	**Mr. Marchant,**	**Mr. Roberdeau,**
Folsom,	Dyer,	R. H. Lee,
S. Adams,	Williams,	F. L. Lee,
J. Adams,	Clark,	Laurens,
Gerry,	Sergeant,	Brownson.
Lovell,	Elmer,	

NAYS.

Mr. Duer,	Mr. Chase,	Mr. Burke,
Wilson,	W. Smith,	Harnett,
Morris,	Jones,	Penn.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, AUGUST 26, 1777

A letter, of the 25, from General Washington, at Wilmington, with a copy of a letter from H. Hollingsworth; one, of the 24, from Colonel H. Hollingsworth; one, of the 13, from Lieutenant Colonel Carrington, at York garrison, Virginia; and an application from Mons. du Coudray, were read.[1]

Ordered, That so much of Monsieur du Coudray's application as relates to money, be referred to the Board of Treasury, and the remainder to the Board of War:

That the copy of the letter from Colonel H. Hollingsworth be referred to the Committee of Intelligence.

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, IV, folio 541. That of Hollingsworth is in No. 78, XI, folio 231; that of Carrington, in No. 78, V, folio 95, and that of Du Coudray is in No. 156, folio 548.

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The delegates of Georgia laid before Congress a letter from Ebenezer S. Platt, dated Newgate, in London, May 16, 1777, directed to Seth John Cuthbert, merchant in Georgia, representing that he had been apprehended and imprisoned on account of having acted under the authority of Congress, and requesting to be supplied with a sum of money, and that he might be demanded in exchange; Whereupon,

Resolved, That the American commissioners at the court of France be directed to supply the said Ebenezer S. Platt with a sum not exceeding one hundred pounds sterling; and that they demand his person in exchange for some person in our power:

Resolved, That the sum so to be advanced be charged to the State of Georgia.

A memorial from Colonel A. Spotswood, of the 2 Virginia regiment, with sundry papers therein referred to, was ||laid before Congress and|| read:[1]

Ordered, That the same be referred to the Board of War.

On motion "to order the 1st and 3d batallions of New Jersey troops, to be stationed in New Jersey, until the further order of Congress, and to take such posts as will be most effectual for securing the parts of the Jersey, lying to the northward of Amboy, from the frequent excursions of the enemy from Staten Island; and that General Washington be informed of said batallions being detained for the above purpose:"

On the question put, carried in the negative.

On motion, *Resolved*, That if any member chooses to have the ayes and nayes taken upon any question, he shall move for the same previous to M^r^ president taking the sense of the house on such question, ~~and if the~~

[1] This memorial is in the *Papers of the Continental Congress*, No. 41, IX, folio 26.

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~~motion be seconded,~~ the individual members of each State shall be called upon to answer aye or no to the question, which answer shall be entered on the journal, and the question be determined by the majority of states, as the majority of votes in each shall make appear.

On motion, *Resolved*, That it be recommended to his excellency the president and the honourable executive council of the State of Pensylvania, to lend the commander in chief two brass twelve pounders belonging to the said State.

On report from the Board of War, *Resolved*, That the supreme executive council of Pensylvania be requested to order all the leaden spouts in Philadelphia to be taken down for the use of the laboratory.[1]

A petition from Charles Craig and Thomas Dorsey, was read:[2]

Ordered, To lie on the table.

~~A motion was made "That General Sullivan be directed to march the division under his command by slow and easy marches to Trenton where vessels will be provided to bring them forward. That the quarter master general be directed to order a sufficient number of boats to Trenton there to take in the troops under the command of General Sullivan." To this an amendment was moved, "That the quarter master general or his deputy be directed to send vessels to Trenton to transport the division of continental troops under the command of Major General Sullivan down the Delaware to join the main army if [it] shall be consistent with the disposition of the commander in chief, and that a copy of this resolution be transmitted to General Sullivan." To both these motions, sundry~~

[1] This paragraph was a report from the Board of War, August 26, John Adams, Samuel Adams, Francis Lightfoot Lee, and James Wilson, present. It is in the *Papers of the Continental Congress*, No. 147, I, folio 329.

[2] This petition is in the *Papers of the Continental Congress*, No. 42, II, folio 34.

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~~objections were made: Whereupon, another amendment was offered, "That General Sullivan be informed that it is the wish of Congress that the division under his command should proceed on their rout to join General Washington by slow and easy marches." On this the question being put, carried in the negative, and the other two motions were suffered to drop.~~[1]

Congress resumed consideration of the memorial of Colonel Hazen, the report of the Board of Treasury, and the report of the commissioners of claims on the account of Colonel Hazen; and, ||after debate,|| thereupon,

Ordered, That the said reports be re-committed.

Resolved, That the commissioners for auditing accounts &c. be instructed to distinguish between the sums due to Colonel Moses Hazen for hard money advanced by him, and those due to him for commodities furnished by him for the use of the army in Canada.

That the former sums be repaid to him in hard money, with interest, at six per cent. from the 1st of May, 1776.

Resolved, That ten thousand dollars be advanced to the delegates of Maryland, for the use of that State, the said State to be accountable.

Whereas, the states of Pensylvania and Delaware are threatened with an immediate invasion from a powerful army, who have already landed at the head of Chesapeake bay; and whereas, the principles of policy and self preservation require that all persons who may reasonably be suspected of aiding or abetting the cause of the enemy, may be prevented from pursuing measures injurious to the general weal:

Resolved, That the executive authorities of the states of Pensylvania and Delaware, be requested to cause all persons within their respective states notoriously disaf-

[1] In the margin is written: "by general consent expunged."

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fected, forthwith to be apprehended, disarmed, and secured, till such time as the respective states think they may be released without injury to the common cause.

Resolved, That it be recommended to the supreme executive council of the State of Pensylvania, to cause a diligent search to be made in the houses of all inhabitants of the city of Philadelphia, who have not manifested their attachment to the American cause, for fire-arms, swords, and bayonets; that the owners of the arms so found be paid for them at an appraised value, and that they be delivered to such of the militia of the State of Pensylvania who are at present unarmed, and have been called into the field.

Ordered, That the Board of War furnish the State of Maryland with as many arms as can be spared for arming their militia now called into service.

The Board of Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That there be advanced to Lieutenant Colonel baron de Holtzendorff three hundred dollars, for which he is to be accountable.

Resolved, That there be advanced to Colonel G. Morgan twenty thousand dollars, for the use of his department, and for which he is to be accountable.

Resolved, That there be advanced to Lieutenant Colonel the chevalier de Failly one hundred and eighty dollars, for three months' pay from the 1st instant.

Resolved, That there be advanced to Major de Bois one hundred and fifty dollars, for three months' pay, commencing the first of August.[3]

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 385.

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That there is due to James Mitchel, late a serjeant in Colonel Stewart's regiment, three months' half-pay, being from the 1st day of May last, the time he settled with the pay master, to the 1st inst. at which time he inlisted in Colonel Nicola's corps, he being an invalid, 12 dollars:

That there is due to the commissioners of claims eight dollars, which they advanced to Samuel Hamel, James M'Callister, &c. for taking up a certain Robert M'Cann, a deserter from Captain Robert Smith's company of Colonel Feebucker's regiment, and delivering him to Robert Jewell, keeper of the state prison, viz: 5 dollars for taking him up, and 3 dollars for expences:

That there is due to Nathaniel Jones, a balance for the hire of his waggon impressed to bring money from Baltimore, 11 days out and home, at 27/6 per day, £15 15 0 ||42 dollars,|| of which he received from M. Hillegas, Esqr. £7 10 0 ||20 dollars;|| balance is £8 5 0 equal to 22 dollars:

That there is due to sundry persons of Northumberland county, belonging to Colonel Potter's batallion of militia, for rifles, guns, blankets, taken and appraised for the use of Captain William Gray's company of the said batallion, some time in December last, which articles were not returned to the owners, but delivered up to the continental store, as appears by certificates, 1,208 12/90 dollars, and that the same ought to be paid to Brigadier Potter, or his order.[1]

Ordered, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 387.

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WEDNESDAY, AUGUST 27, 1777

A letter, of the 25, from president M'Kinley, at Wilmington; one, of the 5, and one, of the 10th, from ||Brigadier General|| de Roche Fermoy, were read:||[1]

Ordered, That they be referred to the Board of War.

A petition from Peter Frances de Bois was read:[2]

Ordered, That it be dismissed.

A letter from Colonel G. Bailor to Colonel Harrison, was laid before Congress and read:

Ordered, That it be referred to the Board of War.

The Board of War to whom the petition of Lewis John Baptiste Chamberon de D'Antignac was referred, brought in a report, which was taken into consideration; Whereupon,

That it is not convenient at present to promote Mon^s. D'Antignac: and therefore, that his petition be dismissed.[3]

Resolved, That the said petition be dismissed.

A petition of Mons. de Ganot, was read.[4]

Congress resumed the consideration of the report of the committee on the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and Mount Independence, &c.

On motion to add after department ||in 2d paragraph|| these words, "and his reasons for absence from Ticonderoga at the time of the enemy's approach to that post:" Question put, passed in the negative.

[1] The letter of McKinly is in the *Papers of the Continental Congress*, No. 70, folio 635. The letters of De Roche Fermoy are in No. 78, IX, folios 113 and 117.

[2] This petition is in the *Papers of the Continental Congress*, No. 42, I, folio 149.

[3] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 335. The members of the Board present were: John Adams, Samuel Adams, James Wilson, Francis Lightfoot Lee, and George Clymer.

[4] This petition is in the *Papers of the Continental Congress*, No. 42, III, folio 195.

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On motion to insert ||in 7th paragraph|| after the word "number" [insert] "equipment and" ~~behaviour of the militia~~.

After "militia" insert "and the term of service for which they were engaged:" Question put, resolved in the affirmative.

On motion to strike out after the words "distance of their works" these words, "if any."

Question put, passed in the affirmative.

~~On motion to strike out "whether in front, center or rear,"~~

~~Question put, carried in the affirmative.~~

On motion to strike out the preceding words, "where the general officers marched in the retreat;" to this an amendment was moved, and to insert instead thereof these words "and the manner in which the retreat was conducted."

Question was put, and the ayes and noes being required, are as follows:

New Hampshire,		
Mr. Frost,	no	no
Folsom,	no	
Massachusetts Bay,		
Mr. S. Adams,	no	no
J. Adams,	no	
Gerry,	no	
Lovell,	no	
Rhode Island,		
Mr. Marchant,	no	no
Connecticut,		
Mr. Dyer,	no	no
Law,	no	
Williams,	no	
New Jersey,		
Mr. Clark,	ay	ay
Sergeant,	no	
Elmer,	ay	
Pennsylvania,		
Mr. Morris,	ay	ay
Wilson,	ay	
Clymer,	ay	
Roberdeau,	no	
Maryland,		
Mr. Chase,	ay	ay
W. Smith,	ay	
Virginia,		
Mr. Harrison,	ay	ay
R. H. Lee,	ay	
F. L. Lee,	ay	
Jones,	ay	
North Carolina,		
Mr. Penn,	ay	ay
Burke,	ay	
Harnett,	ay	

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South Carolina,			*Georgia,*	
Mr. Heyward,	ay	div.	Mr. Brownson,	ay } ay
Laurens,	no			

So it was resolved in the affirmative.

On motion, to insert ||in the 8th paragraph,|| after "number," these words "and size:" After "cannon," to insert "and whether any were removed before the evacuation." Question put, resolved in the affirmative.

On motion to strike out the last paragraph, which is,

"That if, upon such enquiry, a well grounded suspicion shall arise, that the loss of those important posts was owing to neglect or misconduct of any officer or officers in said department, Congress may give the necessary direction for bringing such officer or officers to trial, according to the rules and articles of war:" and, insert instead thereof,

"That, upon such enquiry and collection of facts, the whole be transmitted by the said committee to General Washington, with direction for him to proceed thereupon, either by court of enquiry or court martial, (as shall be most proper and conformable to the law-martial,) for examining into the conduct of the general officers who commanded in the northern department, at the time Ticonderoga was evacuated:"

A motion was made to amend this, by striking out "either by court of enquiry or court martial, as shall be most proper and conformable to the law-martial," and inserting these words, "agreeable to the rules and articles of war:"

Another motion was made to amend the first motion by striking out all that follows the word "facts," and inserting "a copy of the whole be transmitted by the said committee to the judge advocate, and thereupon that General Washington appoint a court martial for the trial

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of the general officers who were in the northern department when Ticonderoga and Mount Independence were evacuated, agreeable to the rules and articles of war:"

On motion to amend the last amendment by striking out the word "judge advocate," and inserting "General:"

Question put, carried in the affirmative.

And the same being farther amended by striking out the words "General Washington" and inserting "he."

The question was then put on the amendment as amended, with the first part of the original motion as far as facts included. And the yeas and nays called for, and taken, are as follows:

New Hampshire,		
Mr. Frost,	no	no
Folsom,	no	
Massachusetts Bay,		
Mr. S. Adams,	ay	ay
J. Adams,	ay	
Gerry,	ay	
Lovell,	ay	
Rhode Island,		
Mr. Marchant,	no	no
Connecticut,		
Mr. Dyer,	ay	ay
Law,	ay	
Williams,	ay	
New Jersey,		
Mr. Clark,	ay	ay
Sergeant,	ay	
Pennsylvania,		
Mr. Wilson,	ay	ay
Clymer,	ay	
Roberdeau,	ay	
Maryland,		
Mr. Chase,	ay	div.
W. Smith,	no	
Virginia,		
Mr. Harrison,	ay	ay
R. H. Lee,	no	
F. L. Lee,	ay	
Jones,	ay	
North Carolina,		
Mr. Burke,	ay	ay
Harnett,	ay	
South Carolina,		
Mr. Heyward,	ay	div.
Laurens,	no	

So it was resolved in the affirmative.

The report as amended ||and agreed to||, is as follows:

Resolved, That a committee of three members of Congress be appointed and authorized to correspond with public bodies or private persons, by letter or otherwise,

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in this and the neighbouring states, in order to collect the clearest and fullest evidence of the state of the army in the northern department, and also of the state of the troops, military stores and provision, at the said posts, before and at the time when the evacuation was determined upon:

To call for and examine the minutes of the council of war, to enquire what orders were given, from time to time, by the commander in chief of that department:

To enquire particularly if the barracks and stores were destroyed or left standing:

To enquire of the quarter master general and commissary general what quantity of provision had been laid up at Ticonderoga, or near it, for the use of the garrison, and what measures were taken or taking for throwing in farther supplies:

To inform themselves, as fully as possible, of the number, appointment and movements of the enemy, from the time of their landing to the time of evacuating the fort, and also of the number, quality and condition of the garrison; [and the manner in which the retreat was conducted] and if any and what measures were taken to gain intelligence of the strength of the enemy by the commander in chief, or the commanding officer at Ticonderoga:

To enquire of the clothier general what clothing, from time to time, had been issued for the use of the northern department, and from other public officers, into the expenditure of such general issues:

To enquire into the number, equipment and behaviour of the militia, and the term of service for which they were engaged, at and before the time of the evacuation; into the situation and condition of the lines at Ticonderoga, and the fortifications upon Mount Independence; what

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works had been thrown up by the enemy, what posts they had taken, and the distance of their works [from Mount Independence, Mount Hope and the Lines at Ticonderoga]; what orders had been given by the commanding officer for directing and regulating a retreat, [where the General Officers marched, in the Retreat, whether in Front, Center or Rear] and the manner in which the retreat was conducted; what orders were given relative to the sick, what care taken of them; whether any continental troops, and what number were at Albany or in the neighbourhood, how long they had been there, and why they were not ordered to Ticonderoga:

To enquire into the number and size of cannon, and whether any were removed before the evacuation; the quantity and species of military stores; the state of the arms, both of the continental soldiers and militia, whether the troops were furnished with bayonets, and whether there were any and what number of pikes or spears proper for defending lines:

7. That if upon such Enquiry a well grounded suspicion shall arise that the Loss of those Important Posts was owing to neglect or misconduct of any Officer or Officers in said Department, Congress may give the necessary direction for bringing such Officer or Officers to Tryal according to the Rules and Articles of War.[1]

That, upon such enquiry and collection of facts, a copy of the whole be transmitted by the said committee to General Washington, and that, thereupon, he appoint a court martial for the trial of the general officers who were in the northern department, when Ticonderoga and Mount Independence were evacuated, agreeable to the rules and articles of war.

[1] This report, in the writing of Henry Laurens, is in the *Papers of the Continental Congress*, No. 29, folio 261. The parts in brackets and the last paragraph were not accepted.

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~~A motion was made, That on calling the yeas and nays, a member of a State not represented be called, and his yea or nay be entered on the journal. The question being put and the States called, there were four ayes and five noes. So it passed in the negative.~~

~~A motion was then made that the answer of Mr. Duer to the question last determined by the yeas and nays be inserted on the journals, although the State of New York is not represented.~~

~~Before the question was put the adjournment was called for, and~~

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, AUGUST 28, 1777

A letter, of the 21, from General Washington, ~~at Head Quarters, Bucks County;~~ enclosing a copy of a letter of the 29 May, from B. Franklin at Paris, respecting the Count Pulaski; also a letter of the 25 from Count Pulaski; one, of the 14, from Joseph Trumbull, at the Cross Roads; and a petition from John Young, were read; a letter from Baron de Kalb, enclosing a letter directed to General Howe, and a letter of the 25 from M. Hillegas, ||treasurer|| at York town, was read:[1]

Ordered, That the letter from Mr. Trumbull and that from Mr. Hillegas be referred to the Board of Treasury; that the petition from J. Young, and so much of the Baron de Kalb's letter as relates to his application for leave to return to France, by the way of New York, be referred to the Board of War:

[1] The letter of Washington, with enclosures, is in the *Papers of the Continental Congress*, No. 152, IV, folio 531; that of Hillegas, in No. 78, XI, folio 233; that of Young, in No. 42, VIII, folios 457, 459.

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That the remainder of the Baron de Kalb's letter and the letter from General Washington, with the letter enclosed, and the letter from Count Pulaski, be referred to the Committee on Foreign Applications.

A letter, of the 24, from Brigadier A. Buchanan, at Baltimore, was read.[1]

Resolved, That the committee appointed to take into consideration the state of South Carolina and Georgia, be also empowered to consider and report upon the state of North Carolina.

Congress proceeded to the election of the committee to collect evidence and facts relative to the evacuation of Ticonderoga ||and Mount Independence||; and, the ballots being taken,

Mr. [Henry] Laurens, Mr. R[ichard] H[enry] Lee, and Mr. J[ohn] Adams, were elected.

Ordered, That a copy of the resolutions respecting the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and Mount Independence, &c. be sent to each of the general officers who were in the northern department at the time of the evacuation, and that they be published in the newspapers.

~~On motion to reconsider the motion which yesterday passed in the negative, viz. "that on calling the yeas and nays a member of a State not represented be called, and his yea or nay be entered on the journal." Question put, resolved in the affirmative.~~

Resolved, That 3,000 dollars be advanced to the secretary of the Board of War, for public service, he to be accountable.

A letter, of the 25, from General Sullivan, at Hanover, with sundry papers[2] enclosed, and another, without date, were read:

[1] This letter is in the *Papers of the Continental Congress*, No. 78, II, folio 233.

[2] These papers, being Quaker letters and documents, are in the *Papers of the Continental Congress*, No. 53, folios 83–101. Sullivan's letters are in No. 160, folios 47 and 53.

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Ordered, That the letter of the 25, with the papers enclosed, be referred to a committee of three:

The members chosen, Mr. J[ohn] Adams, Mr. [William] Duer, and Mr. R[ichard] H[enry] Lee.

On motion,

Resolved, That when a State is unrepresented in Congress, and the yeas and nays are called for, the opinion of the members of the State unrepresented shall be called for, and entered on the journals, the name of such members being distinguished by an asterisk.

Resolved, That Congress will, to morrow morning, immediately after reading the public letters, resolve itself into a committee of the whole, to consider farther the report of the treasury, on the ways and means of raising supplies, and the letters from the commissioners at Paris, referred to them.

Resolved, That 3,000 dollars be advanced to the president, for public service, he to be accountable.

A letter, of the 26, from James Mease, Esqr. cloathier general, was read:

Ordered, That it be referred to the Board of Treasury.

In consequence of an adjustment of the commissioners of claims, the auditor general reports,

That there is due to Abraham Berlin, chairman of the committee of Northampton county, for his account of rations supplied Colonel Hand's batallion last winter, at Easton, as well as the militia who were on their way to camp, £309 1 10 ||834 22/90 dollars;|| an allowance is made to him for his trouble and expences in advancing chief part of the money, and paying the remainder, £15 0 0 ||40 dollars,|| the whole amounting to £324 1 10; equal to 864 22/90 dollars.[1]

Ordered, That the said account be paid.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 389.

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The Committee on the Treasury brought in a report, Whereupon,

Resolved, That a paymaster be immediately appointed to the corps of invalids under the command of Colonel Nicola.[1]

Congress resumed the consideration of the report of the committee appointed to enquire into the state of the army: Whereupon,

~~The first paragraph being read, after debate, on motion made and question put,~~

~~Resolved, That the consideration thereof be postponed. The second paragraph being taken into consideration was agreed to, and is as follows:~~

Resolved, That the cloathier general be directed forthwith to inform himself, as nearly as may be, of the number of blankets, shoes, hose, and shirts, that will be wanted for the troops of the United States in the fall and winter next ensuing, exclusive of those now in store, or for which he has contracted; that he apply for the same to the several assemblies or executive authorities of the states of New Hampshire, Massachusetts bay, Rhode Island, Connecticut, New Jersey, Pensylvania, and Delaware, in proportion to the number of inhabitants of each State, and send to each an attested copy of this resolve; and it is earnestly recommended to the several states aforesaid, to call on the inhabitants of their respective counties, cities, towns, or districts, to manufacture, or furnish their proportions of the said articles; and the said states are desired to appoint suitable persons to inspect the quality of the articles thus supplied, and to order them to be delivered to the cloathier's agent in each State, who is hereby directed to pay for the same on the delivery thereof:

[1] This report, dated the 27th, is in the *Papers of the Continental Congress*, No. 136, I, folio 391.

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That the cloathier general be directed forthwith to apply to the commander in chief, and commander of each continental district, and inform himself of the number of assistant cloathiers necessary for the army and detached parts within their several commands; that he appoint, without delay, as many assistants as they may respectively judge necessary, and report their names to Congress; that he take effectual care to send to each assistant, a proportion of the cloathing on hand, and full supplies as soon as may be, ordering the said assistants to give receipts therefor; that he be careful to direct the several assistants to give to each non-commissioned officer and soldier the cloathing due to him by the articles of inlistment, and take receipts; and that they supply the army with such other cloathing as shall be necessary at the average cost and charges thereof; that he furnish each assistant with the names of the non-commissioned officers and soldiers of the divisions or corps to which he may be assigned, who have received the bounty of cloathing, or any part thereof, and also with the account of each officer and soldier in such division or corps, who is indebted to the United States for articles of cloathing; that he direct each assistant, on the first day of every month, to render to the respective regimental pay masters in the division or corps to which he is assigned, particular accounts of all the cloathing for which the officers and men are respectively indebted; and the several regimental pay masters are hereby directed to make the proper stoppages from the pay rolls, for discharging the said accounts, and to deliver the money to the assistant cloathiers respectively, taking their receipts therefor, and delivering them to the pay master or deputy pay master general, to be filed in his office until required by the commissioners of accounts or other proper authority; that the several assistants

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deliver the money so received to the cloathier general, and account with him for all the cloathing which they may receive as aforesaid.

Resolved, That the farther consideration of the report be postponed.

On motion, *Resolved*, That General Washington be directed, if the service will permit, to order a skilful engineer, and an experienced artillerist, to repair immediately to the city of Annapolis, in the State of Maryland, there to obey the directions of the governor and the council of that state.

Ordered, That Mons. P. F. de Bois repair immediately to the northern department.

Adjourned to five o'Clock.

FIVE O'CLOCK, P. M.

In pursuance of an adjustment by the commissioners of claims, the auditor general reports,

That there is due to Abraham Terrill and Charles Tooker, for the damages they sustained, in a small schooner belonging to them, in her sails, rigging and hull, the said schooner was employed by General Mercer, in an intended attack on Staten Island, in July, 1776, in which time she was sunk, and suffered the said damages, agreeable to appraisement and certificates, 134 2/3 dollars, and which is to be paid to Abraham Clark, Esqr.

That there is due to Belcher P. Smith, for three months services to General Maxwell last winter in the Jerseys, in capacity of his clerk,[1] and for other services, the sum of 150 dollars:

[1] The original report here inserts: "and among other things receiving the Protections given by General Howe to the Inhabitants of Jersey."

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That there is due to Robert Jewell, his account of dyet for the prisoners from 22 July last to the 29 instant, inclusive, 371 52/90 dollars:

That there is due to Allen Cameron, a balance of his allowance as a prisoner, from the 24 December, 1776, to the 25 July last, being 54 77/90 dollars:

That there is due to Ensign Enoch Welsh, his expences conducting British prisoners to their lines and his return to this city, being six days, for himself and horse, 17 12/90 dollars:[1]

Ordered, That the said accounts be paid.

The Committee on the Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That the pay of the deputy pay master general of the northern, eastern and southern departments, be augmented to 80 dollars per month:

That the assistants to the pay master general and deputy pay masters general, which they are respectively authorized to appoint, where such officers shall be necessary, shall receive, for the time of their actual service, 50 dollars per month:

That the pay master general and deputy pay masters general shall be obliged respectively to take bond from their respective assistants appointed by them, for the faithful performance of their trust, in such penalties as the commander in chief, or commanding officer of the department, shall direct.[2]

Resolved, That there be advanced to Colonel Flowers, commissary general of military stores, 50,000 dollars, for the use of his department, and for which he is to be accountable.[3]

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 397.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 393.

[3] This report, in the writing of James Duane, is in the *Papers of the Continental Congress*, No. 136, I, folio 395.

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The committee to whom the letter from General Sullivan, with the papers enclosed, was referred, reported,

That the several testimonies which have been published since the commencement of the present contest betwixt Great Britain and America, and the uniform tenor of the conduct, and conversation of a number of persons of considerable wealth, who profess themselves to belong to the society of people commonly called Quakers,[1] render it certain and notorious, that those persons are, with much rancour and bitterness, disaffected to the American cause: that, as these persons will have it in their power, so there is no doubt it will be their inclination, to communicate intelligence to the enemy, and, in various other ways, to injure the councils and arms of America:

That when the enemy, in the month of December, 1776, were bending their progress towards the city of Philadelphia, a certain seditious publication, addressed "To our friends and brethren in religious profession in these and the adjacent provinces," signed "John Pemberton, in and on behalf of the meeting of sufferings held at Philadelphia for Pensylvania and New Jersey, the 20th of the 12th month, 1776," was published, and, as your committee is credibly informed, circulated amongst many members of the society called Quakers, throughout the different states:

That, as the seditious paper aforesaid originated in the city of Philadelphia, and as the persons whose names are under mentioned, have uniformly manifested by their general conduct and conversation a disposition highly inimical to the cause of America, therefore,

Resolved, That it be earnestly recommended to the supreme executive council of the State of Pensylvania, forthwith to apprehend and secure the persons of Joshua Fisher, Abel James, James Pemberton, Henry Drinker, Israel Pemberton, John Pemberton, John James, Samuel Pleasants, Thomas Wharton, Sen. ~~Joseph Pemberton, James Fisher,~~ Thomas Fisher, son of Joshua, ~~Henry Lisle~~ and Samuel Fisher, son of Joshua,[2] together with all such papers in their possession as may be of a political nature.

And, whereas, there is strong reason to apprehend that these persons maintain a correspondence and connection highly prejudicial to the public safety, not only in this State but in the respective states of America,

[1] This phrase was inserted by John Hancock.
[2] This name was entered by John Hancock.

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***Resolved*, That it be recommended to the executive powers of the respective states, forthwith to apprehend and secure all persons, as well among the people called Quakers as others, who have, in their** general conduct and conversation, evidenced a disposition inimical to the cause of America; and that the persons so seized ~~be debar'd of all correspondence and connection with Persons of the same persuasion, and that they~~ be confined in such places, and treated in such manner, as shall be consistent with their respective characters and security of their persons:

That the records and papers of the *Meetings of Sufferings* in the respective states be forthwith secured and carefully examined, and that such parts of them as may be of a political nature, be forthwith transmitted to Congress:

~~Your committee beg leave further to report that amongst the persons in the city of Philadelphia, whom they recommend to be apprehended, the persons of Henry Drinker and Abel James together with their Papers, ought in their Opinion to be first and immediately apprehended and secured.~~ [1]

The said report being read, and the several paragraphs considered and debated, and the question put severally thereon, the same was agreed to.

On motion, *Ordered*, That the Board of War remove, under guard, to a place of security out of the State of Pensylvania, the hon^ble^ John Penn, Esqr and Benjamin Chew, Esqr and that they give orders for having them safely secured, and entertained agreeable to their rank and station in life.[2]

A letter, of the 28, from General Washington, at Wilmington, was read:

Ordered, That it be referred to the Board of War.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

[1] This report, in the writing of William Duer, is in the *Papers of the Continental Congress*, No. 19, V, folio 439½.

[2] This paragraph, in the writing of Charles Thomson, was added to the report on Quakers above.

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FRIDAY, AUGUST 29, 1777

A letter, of the 27, from General Washington, at Wilmington, was read.[1]

A motion being made respecting the militia,

Ordered, That it be referred to the Board of War.

On report of the Board of War,

Resolved, That Governor Livingston be requested to lend Congress such number of arms as can be procured in the State of New Jersey, or if arms can be purchased in that State, that he will appoint proper persons to collect and pay for them at continental expence.

That the three Troops of North Carolina Horse be remounted and equipped, and a Letter be written to General Washington, that if there are any supernumerary Horses in the Regiments of Dragoons, they be delivered to the Officers of these Troops, to be made use of by the Men, and the residue to be purchased.[2]

The order of the day was [called] for, and

Congress resolved itself into a committee of the whole, ||to consider the report of the committee on ways and means, &c.|| The president left the chair. Mr. [Benjamin] Harrison took the chair of the committee. The president resumed the chair, and Mr. Harrison reported from the committee that they have had under consideration the matters to them referred, but, not having had time to go through the same, desire leave to sit again.

Resolved, That Congress will to morrow resolve itself into a committee of the whole, to consider farther the report of the committee on ways and means, &c.

[1] This letter is in the *Papers of the Continental Congress*, No. 152, IV, folio 557. It is printed in *Writings of Washington* (Ford), VI, 53.

[2] This report, dated August 27, is in the *Papers of the Continental Congress*, No. 147, I, folio 331. The members of the Board present were: John Adams, Samuel Adams and Francis Lightfoot Lee.

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Resolved, That each assistant cloathier be allowed 50 dollars per month, and the rations of a captain.

The Committee on the Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That there be advanced to Lieutenant Colonel Chevalier de Franval 540 dollars, for nine months' pay commencing the first of December last, and ending the first of September next.

Resolved, That there be advanced to James Mease, Esqr clothier general, 20,000 dollars, to be remitted by him to Georgia, for cloathing the continental troops in that State; which sum is in part of the money directed to be sent to the said State, for the use of the said troops.[1]

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, AUGUST 30, 1777

A letter, of the 29, from General Washington, at Wilmington, was read.[2]

A memorial from Captain Wendel Oury was presented to Congress:

Ordered, That it be referred to the Board of Treasury.

Agreable to the order of the day, Congress resolved itself into a committee of the whole. The president left the chair. Mr. [Benjamin] Harrison took the chair of the committee. The president resumed the chair, and Mr. Harrison reported, from the committee that they have had under consideration the matter referred to them, and have made some progress therein, but, not having come to a conclusion, desire leave to sit again.

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 399.

[2] This letter is in the *Papers of the Continental Congress*, No. 152, V, folio 5. It is printed in part in *Writings of Washington* (Ford), VI, 58.

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Resolved, That Congress will on Monday next resolve itself into a committee of the whole, to consider farther the report of the treasury, on the ways and means of raising supplies, &c.

The Board of War report, "that there are in Philadelphia between two and three thousand arms which might, in a short time, be repaired, if workmen could be procured to perform the service, but, as great numbers of the artificers are in the militia, but few of those arms will be speedily repaired, unless the workmen are permitted to leave the field, and work on the arms;"[1] Whereupon,

Resolved, That General Washington be directed to detach from the militia, as soon as possible, such a number of workmen as he shall think necessary to repair, with despatch, the arms now in the city of Philadelphia, as there is no other mode of supplying the demands of the militia of Pensylvania, Delaware and Maryland states, great numbers of whom are now in the field without arms.[2]

On report of the Board of War,

The Board taking into their Consideration Genl. Washington's Letter of the 28th Inst. recommending Count Du Pulaski to the Notice of Congress,

To Lie

Beg leave to report, that the said Count De Pulaski, be appointed to the Command of the Horse with the rank of a Brigadier General.

Ordered, That the petition of John Young, "for leave to depart from the Continent," be rejected.

That Congress will thankfully receive into Pay and Service all Militia Men who will turn out to oppose the common Enemy on this important occasion, but to avoid great Inconveniences all persons going into

[1] The original report added: "Wherefore that it be earnestly recommended to the Supreme Executive Council to order all the workmen they can possibly procure to repair" &c.

[2] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 337. The members of the Board present were: Samuel Adams, James Wilson and William Duer.

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the Field as Militia, are to be bound by the same Rules, and to serve the same Length of time, with those of the particular State to which such Persons respectively belong whose Tour of Duty it is to run out at this time.[1]

A motion was made to advance a sum of money to the delegates of Georgia:

Ordered, That it be referred to the Board of Treasury.

The Medical Committee brought in a report which was taken into consideration; Whereupon,

Resolved, That the several issuing commissaries be directed to furnish the director general, or any of the deputy directors, or their assistants, with such provisions as any of them shall, from time to time, demand by an order in writing, for the use of any temporary hospital which shall be established, which order, with the receipt of the steward endorsed thereon, shall be a sufficient voucher for such issuing commissary, who is also required to keep such vouchers separate, and make a separate entry of the same in his books, charging the director who ordered the same therewith.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

MONDAY, SEPTEMBER 1, 1777

A letter, of the 30th of last month, from General Washington, at Wilmington; one of the 25 of the same month, from General Gates, enclosing a copy of a letter from General Arnold, at Mohawk river, ten miles above Fort Dayton, August 23d; and one, from Colonel Gansevoort, at Fort Schuyler, 22 August; also another letter, of the 28, from General Gates, enclosing one of the 24 from

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 341. The members of the Board present were: John Adams, Samuel Adams, Francis Lightfoot Lee, James Wilson, George Clymer and William Duer.

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General Arnold, giving an account that the enemy have retreated from Fort Schuyler with the greatest precipitation, leaving their tents standing, their provisions, ammunition, &c. were read.[1]

Another letter, of the 28 August, from General Gates, with a paper enclosed, respecting the cloathing granted to soldiers; and one, of the 1st, from General Arthur St. Clair, dated this day; one, of the 27 of August, from Jonathan Hudson, at Baltimore; and one, of the 28, from Robert White, deputy commissary general of issues, respecting the rations claimed by the soldiers; and one, of the 31 August, from General Sullivan, giving an account of his expedition on Staten Island, were read:

Ordered, That the letters from the northern department, be referred to the Committee of Intelligence:

Ordered, That the letter from General Sullivan of yesterday be referred to the Committee of Intelligence, to extract such parts thereof as they may think proper for publication, and to report the same to Congress.

Ordered, That the letter of the 28 August from General Gates, with the paper enclosed, respecting cloathing, be referred to the Board of Treasury.

Ordered, That a copy of Brigadier de Roche Fermoy's letter of the 25 July, be made out and delivered to General St. Clair.

Ordered, That the letter from Jonathan Hudson be referred to the Board of Treasury, and that from R. White be referred to the Board of War.

Resolved, That General Washington be directed to appoint a court of enquiry relative to the late expedition by General Sullivan against the British forces on Staten Island.

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, V, folio 9. It is printed in *Writings of Washington* (Ford), VI, 56. Those of Gates are in No. 154, I, folios 236, 242

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***Resolved*, That 10,000 dollars be advanced to the Marine Committee for public service at Baltimore, the said committee to be accountable.**

***Resolved*, That a committee of three be appointed to** devise a plan of supplying the army with necessaries on the most reasonable terms, and that they sit on this business, and report as soon as possible:

The members chosen, Mr. [Robert] Morris, Mr. [Samuel] Chase, and Mr. [William] Duer.

Resolved, That three commissioners be appointed immediately to consider of the practicability of burning the enemy's fleet in Chesapeake bay; that they consult with General Washington on this subject, and, if it appears likely to be effected, that they proceed with all diligence to the execution thereof; that they be authorized to purchase, on the most reasonable terms they can, or employ any vessels that may be convenient for the purpose of fire ships, and that they have power to make use of any continental merchant ships or vessels that may be near the place for the same service; and that they have authority to pursue all such measures as may be effectual to the right execution of this important business; and, in case it shall be judged proper to undertake the project, that the same rewards be given to those employed in the execution as are offered for the same purpose in Delaware river and at Rhode Island.

Ordered, That the appointment of commissioners be postponed till to morrow.

The Committee on the Treasury reported the following resolutions:

Resolved, That the president issue his warrant to the treasurer to transmit to John Gibson, Esq[r] auditor general, 884,000 dollars, for which the said auditor general is to be accountable:

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Resolved, That there be advanced to Matthew Irwin, agent to Joseph Trumbull, Esqr late commissary general, fifty thousand dollars, which Mr. Trumbull represents to be necessary to discharge contracts he is engaged in for provisions, and for which he is to be accountable.

Whereas two bills have been presented to the delegates of Georgia, drawn on them by the governor of the State of Georgia, and both dated the 12 day of July last; by one of which the said delegates are requested to pay to Thomas Scott, Esqr or order, the sum of fourteen thousand dollars, for the purpose of recruiting men for the third batallion of continental troops in that State; and by the other to pay Captain Clement Nash, or order, five thousand dollars for the same purpose; and the said delegates having applied to Congress to advance the said money on account of the said State, to enable them to discharge those bills:

Resolved, That the amount of the said two bills, being 19,000 dollars, be accordingly advanced to the delegates of Georgia, for which that State is to be accountable, and that the same be considered, and charged as part of the money agreed to be transmitted to Georgia, for the use of the continental troops in that State.

Resolved, That there be advanced to Captain D'Antignac 120 dollars, for three months' pay, for which he is to be accountable.[1]

Resolved, That Congress agree with the committee in the foregoing resolutions.

In conformity to the order of the day, Congress resolved itself into a committee of the whole. The president left the chair. Mr. [Benjamin] Harrison took the chair of the committee. M^r president resumed the chair, and Mr. Harrison reported, that the committee have had under

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 403.

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consideration the matters to them referred, but not having come to a conclusion, desire leave to sit again.

Resolved, That Congress will to morrow resolve itself into a committee of the whole, to consider farther the report of the treasury, on the ways and means of raising supplies, &c.

The several matters, &c. ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

TUESDAY, SEPTEMBER 2, 1777

A letter, of the 1, from General Washington, at Wilmington, inclosing a declaration of General Howe of the 27 August, with intelligence from Captain Hopkins, and a deposition of Francis Alexander, relative to the brutal behaviour of some of the enemy; also another of the 1 September from General Washington.

A letter of 26 August, from Pierre Van Cortlandt, president of the council of safety of New York, with sundry papers enclosed; a letter, of the 27 August, from General Putnam, with the proceedings of a court martial, on Amos Rose, and the proceedings of a court martial on Lemuel Ackerly; and a letter of the 30 August from J. Hudson, ||at Baltimore,|| were read:[1]

Ordered, That the letter from J. Hudson be referred to the Board of Treasury.

Congress took into consideration the letter from General Putnam; Whereupon,

[1] The letters from Washington, with enclosures, are in the *Papers of the Continental Congress*, No. 152, V, folios 13 and 17. The second is printed in *Writings of Washington* (Ford), VI, 58. That of Van Cortlandt is in No. 67, II, folio 71; that of Putnam, in No. 159, folio 75.

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Resolved, That the president write to General Putnam, and inform him, that, in consequence of his recommendation, Congress agree to his pardoning Amos Rose and Lemuel Ackerly, who are sentenced to death by judgment of a court martial.

Resolved, That the allowance to a major general in a separate department be extended and allowed to Major General Putnam from the time he took the command of the forces at Peeks Kill, to be continued to him so long as he remains in that command.

Ordered, That the letters from General Washington, with the papers enclosed, be referred to the Committee of Intelligence.

A memorial from James Viellon and John Tennet, was read:

Ordered, That it be referred to the Committee of Commerce.

A petition from Captain John Brisben, was read, praying for leave, on account of his domestic affairs, to resign his commission.[1]

Ordered, That he have leave to resign.

A petition from Pierce Burns, William Douglass, &c., was read:

Ordered, That it be referred to the Board of Treasury:

A petition from Belcher P. Smith, was read, praying for an augmentation of his salary as clerk in the secretary's office:

Ordered, That it be referred to the Board of Treasury.

~~On motion, that the confederation be to morrow immediately after the reading of the public letters taken into consideration and that a part of every day this week be employed on the same subject. Question put, carried in the negative.~~

[1]This petition is in the *Papers of the Continental Congress*, No. 41, I, folio 135.

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The Committee on the Treasury reported, that there should be advanced to Mons. du Coudray, for the use of himself, and the following gentlemen, who came over with him to America, and for which Mons. du Coudray is to be accountable, the following sums, viz. To Mons. du Coudray, 1,000 dollars; Captains le Brun, Augustin le Brun, Vareigne, Toussard, de Gay, Picard, Loyauté, and Parrison, each 250 dollars; Mons. Noel, surgeon major, 300 dollars; lieutenants Parrissy, Coyeti, Matigny, Bouchard, le Blanc, Nivau, Fonfrede, Pomereuil, Mattris, Begard, each 200 dollars; ten serjeants, 50 dollars each; the whole amounting to 5,800 dollars:[1]

Ordered, That the said sums be paid.

A motion being made for employing the gentlemen who came over with Mons. du Coudray:

Ordered, That it be referred to the Board of War.

The Committee on the Treasury report, that there should be paid to James Milligan, Esqr or his order, 1,236 dollars, in discharge of a bill drawn by Jonathan Trumbull, jun. deputy pay master general of the northern department, the 5th August last, in favour of John Carter, Esqr or order, for that sum, it being so much received of him by the said deputy pay master general, for the public service of the United States, for which the said deputy pay master general is to be accountable.[2]

Ordered, That the said sum be paid.

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports, that there is due,

To Thomas M'Intire, ensign in Captain Lennox's company of 3d Pensylvania batallion, a balance of pay and rations due to him from 1 September, 1776, to 7 August,

[1] This report, dated August 30, is in the *Papers of the Continental Congress*, No. 136, I, folio 401.

[2] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 407.

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1777, when he arrived from Long Island, £74 5 0 ||198 dollars,|| of which he received of James Hunter, pay master to the 4th Pensylvania batallion, £27 ||72 dollars,|| the balance is £47 5 ||126 dollars,|| and for rations due to him from 1 October, to 16 November, 1776, is 46 days, at 8*d* per ration, £3 1 4 ||8 16/90 dollars,|| both sums making £50 6 4, equal to 134 16/90 dollars:

That there is due to Allan M'Donald, Alexander, Allan, jun. Renald and Archibald M'Donald prisoners at Reading, and their three servants, 12 weeks' allowance from 4 June to 27 August, at 28*s* each themselves, and 7/6 their servants, the sum of 260 dollars:

That there is due to Willing, Morris & Co. for 10,000 quills for the use of the treasury, war and secretary's offices, the sum of 266 60/90 dollars:

That there is due to Robert Anderson, a private, for his half pay from 22 May, the time he was discharged by General Maxwell's certificate, to the 22d July, the time he inlisted in Colonel Nicola's corps of invalids, the sum of 6 60/90 dollars:[1]

Ordered, That the said accounts be paid.

Ordered, That the committee of the whole report the resolution they have come to on the report of the treasury, on the ways and means of raising supplies:

The resolution being read,

Ordered, That the same be re-committed.

On motion, *Resolved*, That General Washington be empowered to dispose of Colonel Richardson's batallion in such way as he shall think proper, and that he send orders to Colonel Richardson accordingly.

Congress resolved itself into a committee of the whole. The president left the chair. Mr. [Benjamin] Harrison took the chair of the committee. Mr. president

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 405.

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resumed the chair, and Mr. Harrison reported, that the committee have had under their farther consideration the matters to them referred, and have made some progress therein, but, not having come to a conclusion, desire leave to sit again.

Resolved, That Congress will to morrow resolve itself into a committee of the whole, to consider farther the report of the Board of Treasury on the ways and means of raising supplies.

The Committee of Intelligence, reported as their opinion that the whole of General Sullivan's letter should be printed.

Resolved, That Congress agree with the report of the committee, who are directed to publish the whole letter.

A motion was made to apply to the supreme executive council of Pensylvania for a quantity of copper:

Ordered, To lie on the table.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY SEPTEMBER 3, 1777

A letter, of the 2d, from G. Bryan, Esq[r] vice president of the supreme executive council of Pensylvania, was read,[1] informing that, "in consequence of the recommendation of Congress, and their own persuasion of the propriety and necessity of the measure, the council have taken up several persons inimically disposed towards the American states; that few of the Quakers, among these, are willing to make any promise of any kind; and

[1] This letter is in the *Papers of the Continental Congress* No. 69, I, folio 395.

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desiring the advice of Congress, particularly whether Augusta and Winchester, in Virginia, would not be suitable places in which to secure these persons;" Whereupon,

Resolved, That Congress approve of the Quakers prisoners being sent to Virginia, and, in the opinion of Congress, that Staunton, in the county of Augusta, is the most proper place in the State of Virginia for their residence and security; and with regard to the other prisoners mentioned in their letter, Congress leave it to the supreme executive council to do with them as they in their wisdom shall think best.[1]

The supreme executive council having sent to Congress, by one of the delegates of their State, sundry original letters and papers found in the possession of some of the Quakers taken into custody, the same were read:

Ordered, That they be referred to the committee to whom General Sullivan's letter of the 25 ult. was referred.

On motion, *Resolved*, That it be earnestly recommended to the several states, to take effectual measures for importing or otherwise procuring, during the ensuing winter, such supplies of arms, tents and other military stores, blankets, cloathing, medicines, and other necessary articles for their respective militia, as may be wanted for the next campaign, and that they report to Congress the species and quantity of military stores manufactured in their respective states.

That the Board of War be directed forthwith to lay before Congress a list of the military stores now in the magazines, and an estimate of such articles of foreign

[1] In the *Papers of the Continental Congress*, No. 53, folio 81, is the following motion, in the writing of Abraham Clark: "That the late order of the Board of War for removing said Petitioners to Staunton in Virginia, and for Confining Owen Jones, Jr. to Close confinement, be Suspended, and that said Prisoners remain under the restraint to which they were Subjected prior to such order."

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manufacture or produce as may be wanted for the next campaign.

On motion, *Ordered*, That the Board of War take into consideration the merits of Brigadiers Stark and Herkimer, and of Colonel Gansevoort and Lieutenant Colonel Willet, and to report to Congress what testimonies of public gratitude should be shewn to these officers for their late signal exertions in the defence of their country.

Congress resolved itself into a committee of the whole. The president left the chair. Mr. [Benjamin] Harrison took the chair of the committee. The president resumed the chair, and Mr. Harrison reported, that the committee have had under their farther consideration the matters referred to them, and have come to a resolution, which he was ordered to deliver when the house is ready to receive it:

Ordered, That it be now received.

The report ||resolution|| being received, was read and ordered to lie for farther consideration.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, SEPTEMBER 4, 1777

A letter, of the 3, from General Washington, at Wilmington, giving an account of a skirmish at Ironhill; and one, of 31 August, from J. Hudson, were read:[1]

Ordered, That the letter from General Washington be referred to the Committee of Intelligence.

[1] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, V, folio 25. It is printed in *Writings of Washington* (Ford), VI, 64. The letter of Hudson is in No. 78, XI, folio 237.

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A memorial from Captain Jacob Bower, and of Charles Seitz, an adjutant in Major Ottendorf's corps, were read, desiring leave to resign their commissions:

Ordered, That the said officers apply to General Washington.

A memorial from E. Blaine was presented to Congress:

Ordered, That it be referred to the Board of Treasury.

The Board of Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That the pay of Belcher P. Smith, clerk in the secretary's office, be augmented to fifty-five dollars per month.

Resolved, That there be advanced to Colonel Lewis Nicola, of the invalid regiment, 658 4/90 dollars, for the pay of that corps for two months, to wit, from the 20th June to the 19 of August, for which he is to be accountable.[1]

Resolved, That a committee of three be appointed to consider under what regulations and restrictions regimental officers shall, for the future, receive their rations:

The members chosen, Mr. R[ichard] H[enry] Lee, Mr. [Elbridge] Gerry, and Mr. [Nathaniel] Folsom.

The Board of War report, "that they have taken into consideration the dispute with regard to the relative rank of the Colonels Cortlandt, Gansevoort, Dubois, and Livingston, commanding four of the New York regiments, and find that a committee of the convention of the State of New York, being properly authorized for such purpose, did appoint the officers above mentioned to their respective regiments, in the following order, viz. Colonel Cortlandt 2d, Colonel Gansevoort 3d, Colonel Dubois 4th, and Colonel Livingston 5th. As this arrangement must be presumed to have been founded on principles of justice

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 409.

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and public utility, the Board of War are of opinion that it would be highly inexpedient to make any alteration in the relative rank of these officers:"

That General Washington be empowered, if he thinks proper to order the Officers of the several Regiments to receive their Rations in Messes, notwithstanding any Resolutions of Congress to the Contrary.[1]

To Ho

Resolved, That Congress agree with the Board in their report.

A memorial from George Emerson was read:

Ordered, That it be referred to the Board of Treasury.

A letter from Monsr ||Count|| Pulaski was read.[2]

Congress took into consideration the report from the Board of War, of the 30 August.

Upon the question put, to appoint a commander of the horse, passed in the negative.

In consequence of an adjustment by the commissioners, the auditor general reports, that there is due,

To Isaac Snowden, for Alexander Brown's account of 124 meals supplied the militia, and for Robert Patterson's account of boarding two sick soldiers of Colonel Weedon's batallion, the sum of 52 76/90 dollars:[3]

Ordered, That the said accounts be paid.

Ordered, That the Board of War make such dispositions as they shall judge prudent and necessary for removing, at the shortest notice, to a place of security, all the military stores belonging to the Continent, in case the exigency of affairs should render it necessary.

Resolved, That it be recommended to the executive council of the State of Pensylvania, to give orders that all

[1] This report is in the *Papers of the Continental Congress*, No. 147, I, folio 347. The members of the Board present were John Adams, Francis Lightfoot Lee, James Wilson, George Clymer, and William Duer.

[2] This letter, in French and in translated form, is in the *Papers of the Continental Congress*, No. 41, VIII, folio 34.

[3] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 415.

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the militia of their State hold themselves in readiness to march at a moment's warning, and that they see that their arms be put in as good condition as possible; that it be farther recommended to the said executive council, to call out 5,000 militia from the city and county of Philadelphia, and the counties most adjacent:

That it be earnestly recommended to the militia to appear with what arms they have or can procure, and otherwise equipped in the best manner they may be able, and that they rendezvous on the heights of Derby, or at such other place as the commander in chief shall direct.

Resolved, That it be recommended to the governor of New Jersey forthwith to order out three thousand of the militia of the State of New Jersey for the purpose of reinforcing the army under General Washington, the said militia to rendezvous at Bristol, with as much despatch as possible.

On motion, by the delegates of North Carolina, that the president order payment of the bills drawn by the treasurer of North Carolina, agreeable to the resolve of the 14 March last, without applying to Congress.

Ordered, That the said bills be referred to the Board of Treasury.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, SEPTEMBER 5, 1777

A letter, of the 4, from Governor Livingston, at Haddonfield, was read; also a letter from Colonel Mason to Colonel Harrison, was laid before Congress and read.[1]

[1] The letter of Livingston is in the *Papers of the Continental Congress*, No. 68, folio 271. On the back of the enclosure is the draft of a motion for advancing thirty-five thousand dollars to Thomas Lowrey for the use of the New Jersey battalions. The letter of Mason is in No. 78, XV, folio 251.

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Ordered, That the letter from Colonel Mason be referred to the Board of War.

Ordered, That the petition and account of Colonel Dugan, on which the Board of Treasury reported on the 11th of February last, be re-committed to the said Board.

The Committee on Foreign Applications brought in a report, on the reading of which, a motion was made for re-committing it. Question put, passed in the negative.

After debate and sundry amendments,

On the question put for recommitting the preamble. Resolved in the affirmative.

The first resolution being read and amended was agreed to.

On the question put "for recommitting the second resolve." Resolved in the affirmative.

The Committee to whom the papers sent to Congress by the supreme executive council of Pensylvania were referred brought in a report, which was read. Previous to entering into the consideration thereof,

A letter, of this day, from his excellency Thomas Wharton, Jr. was read,[1] informing that the persons detained in the Mason's Lodge, have notice of going for Augusta, to morrow," and intimating that "it may perhaps be worth consideration, whether the removal of those persons might not be relaxed as to such as would yet swear or affirm allegiance to this State? and desiring an answer. Also enclosing a remonstrance to the council of Pensylvania, from twenty-one persons in the Lodge; Whereupon,

Resolved, That the supreme executive council be informed, that Congress have no objection to the enlargement of such persons now confined in the Lodge as will swear or affirm allegiance to this State.

[1]This letter is in the *Papers of the Continental Congress*, No. 69, I, folio 399. It is printed in *Pennsylvania Archives*, First Series, V, 586.

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~~The remonstrance from the 21 persons in the Lodge inclosed, was read.~~

~~Also~~ A remonstrance from Israel Pemberton, James Pemberton, John Pemberton, Thomas Wharton, Henry Drinker, Thomas Fisher, Samuel Pleasants, and Samuel R. Fisher, was read:[1]

Ordered, To lie on the table.

Ordered, That the consideration of the report of the committee, which was brought in and read, be postponed.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, SEPTEMBER 6, 1777

A letter, of the 5, from General Washington, at Wilmington; also a letter of the 5th from Thomas Wharton, Junr president of the council of Pensylvania, were read.[2]

The Committee on the Treasury brought in a report; Whereupon,

Resolved, That there be paid to David Nesbit, or order, 250 dollars, in discharge of a bill drawn in his favour by John Ashe, Esqr public treasurer of the State of North Carolina, on the continental treasurer, expressed to be for the use of the United States; the farther sum of 500 dollars in discharge of another bill drawn in his favour by the said public treasurer of North Carolina on the continental treasurer, both the said bills bearing date the 10th of May last; and the further sum of 125 dollars in dis-

[1] This remonstrance is in the *Papers of the Continental Congress*, No. 43, folio 223. A second remonstrance, dated September 4, is on folio 231.

[2] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, V, folio 27. That of Wharton is in No. 69, I, folio 403. It is printed in *Pennsylvania Archives*, First Series, V, 586.

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charge of another bill, without date, drawn in favour of the said David Nesbit by the said public treasurer of North Carolina on the continental treasurer; the two last bills being expressed to be for the use of the said State of North Carolina; the whole of the said sums amounting to 875 dollars, for which the said State is to be accountable; these sums being in part of the 500,000 dollars ordered to be advanced to that State.

Resolved, That there be paid to James Millegan, Esqr or his order, 28 18/90 dollars being so much disbursed by him at the request of the standing committee of Congress on Indian affairs, towards making up a present for the Caghnawaga Indians, and an Oneida who paid a visit to Congress last month.

Resolved, That a warrant issue on the commissioner of the loan office for the State of Pensylvania, in favour of the Marine Committee, for 7,000 dollars, in consequence of their having drawn on the said commissioner two warrants, dated the 12 of December last, for the said sum, one in favour of John Hancock, Samuel Adams and Elbridge Gerry, Esq^rs for 1,000 dollars, and the other in favour of the said Elbridge Gerry, Esqr for 6,000 dollars, which sums were borrowed by the Marine Committee, and delivered to Captain John Brown, of Massachusetts bay, for the use of the navy; the said Marine Committee to be accountable.

Resolved, That there be advanced to the Marine Committee 4,000 dollars for the use of that department, and for which they are to be accountable.[1]

The Committee on the Treasury having taken into consideration the letter from General Gates, of the 28 August, respecting cloathing for the army under his command referred to them by Congress, report;

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 417.

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That it appears from the cloathier general's report, that he has ordered considerable supplies of cloathing to be forwarded to the army in the northern department from Boston, and that he has little doubt of being able to furnish, in the course of the year, the specific articles of cloathing directed to be given, as a bounty to the troops; and as it will be equally disadvantageous to the soldiers and to the service, should they receive money instead of such cloathing, the Board disapprove of the stoppages made by the deputy pay master general in the northern department, out of the pay of the troops in that department on account of cloathing, and direct the money to be returned, except in cases where a regiment shall have been furnished with more cloathing than the bounty; that the greatest care ought to be taken to do justice to the soldiers, as well as the public, in this essential article. It is not sufficient, in the opinion of this Board, that the cloathier general charges the regiment with the articles delivered and takes the receipt of the colonel or commanding officer, and that the colonel, or commanding officer, on delivering the cloathing to the captains or commanding officers of each respective company, takes his receipt; every commanding officer of a company ought, moreover, strictly to be required to keep a clothing account with his company, distinguishing the several articles delivered to each non-commissioned officer and private, and taking receipts for the same as his vouchers; and when each non-commissioned officer and private respectively shall have received his bounty of cloathing, the commanding officer of the company to which he belongs shall deliver the account and receipts to the commanding officer of the regiment, to enable him to settle the cloathing account with the cloathier general, as well as to discover whether equal justice has been done to the company:

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That such troops as have not been supplied with cloathing, ought to be furnished their full bounty without delay, which the Board have earnestly recommended to the attention of the cloathier general, and he, on his part, has engaged to exert every means in his power to accomplish:

That such of the troops as, at their own expences, shall have provided themselves with any of the articles of cloathing allowed as a bounty, or shall not draw their cloathing in the course of the year, shall be entitled to receive the full value thereof at the average price which the cloathing of the army shall cost the public.

And, whereas, when the bounty of cloathing was provided by Congress, it was conceived, that it might be impracticable to obtain a sufficient quantity of cloth for regimental coats for the troops, and, for that reason, two hunting shirts were substituted; but, in the event, so considerable a supply has been procured, that the cloathier general has been enabled to furnish most of the troops with regimental coats instead of hunting shirts, and experience has shewn that a further alteration of the articles of cloathing, allowed as bounty, may be made to the advantage of the soldiers, and without loss to the public; and, therefore, it is the opinion of the committee, that it be

Resolved, That the cloathier general be directed, as far as he shall have it in his power, to furnish all the non-commissioned officers and privates in the service of the United States, who have not yet received their bounty of cloathing, at their election, either with the several articles allowed by Congress, in the resolution of 8 October, 1776, or in lieu thereof, the following articles, viz.

One regimental coat, averaged at 8 60/90 dollars; one jacket, without sleeves, 2 60/90 dollars; one pair buckskin and two pair linen or woollen breeches, 8 dollars; one hat

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or leathern cap, 2 60/90 dollars; two shirts, 8 dollars; one hunting shirt, 4 dollars; two pair overalls, 6 dollars; two pair of stockings, 4 dollars; two pair of shoes, 6 dollars; one blanket, 6 dollars; making in all 56 dollars:

But, as the cost of the articles, last specified, exceeds that of the cloathing allowed as a bounty to the troops by 8 30/90 dollars, so much shall be stopped out of the pay of every non-commissioned officer and private, who shall be supplied in the manner last directed, as will make the amount of cloathing he shall receive equal to the value of the bounty of cloathing, which, upon an average of the price of the several articles, is estimated at 47 60/90 dollars:[1]

The said report being read twice, on the question put,

Resolved, That Congress agree to the foregoing report and resolves.

Resolved, That there be allowed to Michael Hillegas, Esqr. treasurer of the United States, from the sixth day of August, 1776, when Mr. Clymer resigned the office of joint treasurer, a salary after the rate of three thousand two hundred dollars per annum, for discharging the duties of that office.[2]

Congress took into consideration the report of the committee to whom the papers transmitted by the supreme executive council of Pensylvania were referred; Whereupon,

Ordered, That the papers, as reported by the committee from No. 1 to No. 11, both inclusive, be published.

Congress took into consideration the remonstrance from Israel Pemberton, James Pemberton, John Pemberton, Thomas Wharton, Henry Drinker, Thomas Fisher, Sam-

[1] This report, dated September 3, is in the *Papers of the Continental Congress*, No. 136, I, folio 411.

[2] This report, dated the 4th, is in the *Papers of the Continental Congress*, No. 136, I, folio 413.

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uel Pleasants, and Samuel R. Fisher, who were taken into custody upon the recommendation of Congress, praying to be heard; ~~by Congress or the president and council of Pennsylvania, in order to "manifest the falsehood of the suspicions entertained against them"~~[1] Whereupon,

Resolved, That it be recommended to the supreme executive council of the State of Pensylvania, to hear what the said remonstrants can allege, to remove the suspicions of their being disaffected or dangerous to the United States, and act therein as the said council judge most conducive to the public safety.

The Committee on Foreign Applications, to whom the resolution agreed to was referred, to prepare a preamble, brought in the same, which was read:

Ordered, To lie on the table.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

MONDAY, SEPTEMBER 8, 1777

A letter, of 7th, from Robert H. Harrison, secretary to General Washington, at Newport; one, of the 7, from Governor Livingston, of New Jersey, at Philadelphia; one, of the 30 August, from Governor Henry, of Virginia; one, of the 30th August, from Colonel Morgan, at Fort Pitt; one, of 1st September, from Governor Trumbull, at Lebanon; one, of the 13 August, from the council of Massachusetts bay, with sundry papers therein referred to; and one, of the 7, from Mons. du Coudray, were read;

[1] In the *Papers of the Continental Congress*, No. 53, folio 80, is the following undated motion, in the writing of William Ellery: "That the Memorial of Israel Pemberton &c., and the Letter of Owen Jones, Jr with the letter accompanying it be referred to the State of Pennsylvania."

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~~Ordered, That the door of the lobby be kept locked during the sitting of Congress~~.

A letter, of the 6th, from the council of Pensylvania, with a list of the persons arrested in pursuance of a resolve of Congress of the 28 August, were read.[1]

Resolved, That General Putnam be directed to order immediately a detachment of one thousand five hundred continental troops, under the command of a brigadier, to hold themselves in readiness to cross the North river when ordered by General Washington.

Ordered, That a copy of this resolution, and of Governor Livingston's letter, be forthwith transmitted to General Washington.

Ordered, That Governor Trumbull's letter be referred to a committee of five:

The members chosen, Mr. J[ohn] Adams, Mr. R[ichard] H[enry] Lee, Mr. [William] Duer, Mr. [Elbridge] Gerry, and Mr. [James] Wilson.

Ordered, That Mons. du Coudray's letter be referred to General Washington, and that he be desired to give such directions on the premises as he shall think most conducive to the public good.

Ordered, That the letter from the council of Massachusetts bay, with the papers accompanying the same; also the letter from Colonel Morgan, be referred to the Board of War; and that the letter from General Mifflin be referred to the Board of Treasury.

A letter, of this day, from Thomas Wharton, Junr., president of the council of Pensylvania, was read.[2]

[1] The letter of Harrison is in the *Papers of the Continental Congress*, No. 152, V, folio 31. That of Livingston is in No. 68, folio 277; that of Henry, in No. 71, I, folio 127; that of Morgan, in No. 163, folio 285; that of the Massachusetts Council, in No. 65, I, folio 207; and that of the Pennsylvania Council, in No. 69, I, folio 407. Printed in *Pennsylvania Archives*, First Series, V, 593.

[2] This letter is in the *Papers of the Continental Congress*, No. 69, I, folio 413.

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Ordered, That it be referred to the Board of War.

Congress took into consideration the report of the Committee of Foreign Applications, which is as follows:

That, besides a number of officers who are come from Europe and the West Indies of their own accord, to solicit for rank and employment in the American army, there are others who have proceeded upon the encouragement of conventions made and signed at Paris, by Silas Deane, Esqr as "Agent for the United States of North America."

That Mr. Deane had no authority to make such conventions, and that Congress, therefore, are not bound to ratify or fulfil them:[1]

Your committee further report, that the Baron de Kalb and the Viscount de Mauroy, with a number of officers who came with them from France, have offered their service, provided their engagements with Mr. Deane, in respect to rank, are fulfilled; but that the American army having been arranged before the arrival of these gentlemen in America, their expectations cannot be complied with without deranging it, and thereby injuring, at so critical a juncture, the American cause; that the zeal, however, of these gentlemen, and their consequent expences, merit the attention of Congress; wherefore, your committee report the following resolve:

Resolved, That the thanks of Congress be given to the Baron de Kalb and the Viscount de Mauroy, with the officers who accompany them, for their zeal in passing over to America to offer their service to these United States,

[1] In the original report this paragraph read: "That Mr. Deane derived all his Powers on the 29th Day of November, 1775, for the sole Purpose of corresponding with our Friends in Great Britain, Ireland and other Parts of the World, and did not receive any Instruction even from them nor any Authority whatever from Congress to make such Conventions. Congress, therefore, are not by any Means bound to fulfill the Terms thereof."

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and that their expences to this continent, and on their return to France, be paid.[1]

The said report and resolve being read, and the question put severally thereon, were agreed to.

Ordered, That the Baron de Kalb and the Viscount de Mauroy be furnished with a copy of the foregoing report and resolution, attested by the secretary; also, that any of the officers accompanying them, who may desire it, be furnished with such a copy.[2]

Whereas William Imlay, a prisoner of the United States upon suspicion of disaffection, has offered to take an oath of allegiance to the state of New York, of which he is a citizen;

Resolved, Therefore, that it be recommended to the supreme executive council of the State of Pensylvania, to discharge the said William Imlay on his parole of honour, "that he will forthwith repair to Kingston, in the State of New York, and take the oath of allegiance to the said State."[3]

Congress took into consideration the letter of the 6 from the council of Pensylvania, wherein they inform, that at the time the resolve of Congress of the 6th came to them, the council were disposing of every thing for the departure of the gentlemen confined in the Mason's Lodge; that the hearing of some may be censured as a partial proceeding, and therefore they wish the same indulgence may be granted to all: That as this may be tedious, and, in the midst of the present load of important business

[1] See under August 13, *ante*.

[2] This report, in the writing of James Lovell, is in the *Papers of the Continental Congress*, No. 25, I, folio 21.

The following undated motion may belong to this subject: "That the Marine Committee be directed to prepare a Vessel to carry to France those foreign Officers who cannot be employed in our service."

[3] A memorial from William Imlay is in the *Papers of the Continental Congress*, No. 41, IV, folio 380.

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before council, that of embodying the militia is not the least part, they have not leisure to undertake it; and that, as much injury will ensue to their commonwealth if council, at present, yield any further attention to it, therefore they earnestly request that Congress may hear and dispose of the gentlemen prisoners in the Mason's Lodge, and also of those who are on promise or parole, in such manner as to their wisdom shall seem best, and that, for this purpose, a list of the prisoners is therewith sent; Whereupon,

Resolved, That it would be improper for Congress to enter into any hearing of the remonstrants or the other prisoners in the Lodge, they being inhabitants of Pensylvania; and, therefore, as the council decline giving them a hearing for the reasons assigned in their letter to Congress, that it be recommended to the said council to order the immediate departure of such of the said prisoners as yet refuse to swear or affirm allegiance to the State of Pensylvania, to Staunton, in Virginia.

An appeal from the judgment of a court of admiralty for the state of Pensylvania, on the libel Andrew Caldwell *v.* Wingate Newman, was lodged with the secretary, and committed to the committee for hearing and determining appeals.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, SEPTEMBER 9, 1777

A letter, of the 26 August, from Colonel G. Morgan, with two letters to him from Brigadier Hand, ordering him to lay in provisions for 2,000 men for 6 months, with an estimate of the expence, was read:

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Ordered, That the same be referred to the Board of Treasury.

The delegate from Rhode Island and Providence Plantations laid before Congress a resolution passed by the general assembly of that State, which was read, and is as follows:

IN THE LOWER HOUSE, *August* 22, 1777.

Resolved, That the delegates appointed, or who may be appointed to represent this State in Congress, be, and they, or either of them, are hereby empowered to represent said State in Congress, until they, or either of them, shall have due notice of their re-election, or until the delegates who may be appointed in their room, shall take their seats in Congress; the act directing the election of said delegates for one year to the contrary notwithstanding.

Voted and past. Per order, J. LYNDON, *Clerk.*

In the Upper House, read the same day and concurred.

By order, R. J. HELME, *deputy Secretary.*

A letter, of the 7, from General Putnam; and one, of the 2d, from Peter Colt, both directed to W. Buchanan, commissary general ||of purchases,|| were laid before Congress:[1]

Ordered, That they be referred to a committee of three:

The members chosen, Mr. [James] Duane, Mr. [Abraham] Clark and Mr. [Elbridge] Gerry.

Congress took into consideration the report of the committee of the whole, which is in these words:

That the interest which shall arise after the date of this resolution on loan office certificates already issued, or which shall be issued before the first day of March next, be annually paid at the respective loan offices in bills of exchange on the commissioners of the United States in Paris, at the rate of five livres of France for every Spanish milled dollar due for interest as aforesaid, or in continental bills of credit, at the option of the respective lenders.

[1]These letters are in the *Papers of the Continental Congress*, No. 159, folios 87 and 91.

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On considering the above report, the house was moved,

That the interest which shall arise, after the date of this resolution on loan office certificates which shall be issued in pursuance of former resolutions of Congress, be annually paid at the respective loan offices in bills of exchange, on the commissioners of the United States in Paris; and that the yeas and nays may be entered. The question being put, the yeas and nays were taken as follows:[1]

New Hampshire,		
Mr. Frost,	ay	ay
Folsom,	ay	
Massachusetts bay,		
Mr. S. Adams,	ay	ay
J. Adams,	no	
Gerry,	ay	
Lovell,	ay	
Rhode Island,		
Mr. Marchant,	ay	ay
Connecticut,		
Mr. Dyer,	ay	ay
Law,	ay	
Williams,	ay	
New York,		
Mr. Duane,	no	*
New Jersey,		
Mr. Clark,	ay	ay
Witherspoon,	ay	
Pensylvania,		
Mr. Wilson,	ay	ay
Morris,	ay	
Roberdeau,	ay	
Clymer,	ay	
Delaware,		
Mr. Reed,	ay	ay
Maryland,		
Mr. Chase,	ay	*
Virginia,		
Mr. Harrison,	no	ay
R. H. Lee,	ay	
Jones,	ay	
North Carolina,		
Mr. Harnett,	ay	ay
South Carolina,		
Mr. Middleton,	no	no
Heyward,	ay	
Laurens,	no	

So it was resolved in the affirmative.

The House was then moved, that such interest be paid in bills of exchange, at the rate of six per cent. per annum; on motion made to strike out "six" and insert "five," the question was put:

[1] The division by States is found for the first time in this entry of the ayes and noes.

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New Hampshire,		
Mr. Folsom,	no	no
Frost,	no	
Massachusetts bay,		
Mr. S. Adams,	no	no
J. Adams,	no	
Gerry,	no	
Lovell,	no	
Rhode Island,		
Mr. Marchant,	no	no
Connecticut,		
Mr. Dyer,	ay	no
Law,	no	
Williams,	no	
New Jersey,		
Mr. Witherpoon,	no	div.
Clark,	ay	
Pensylvania,		
Mr. Morris,	ay	no
Clymer,	no	
Roberdeau,	no	
Wilson,	no	
Delaware,		
Mr. Reed,	ay	ay
Maryland,		
Mr. Chase,	ay	*
Virginia,		
Mr. Harrison,	ay	ay
R. H. Lee,	no	
Jones,	ay	
North Carolina,		
Mr. Harnett,	no	no
South Carolina,		
Mr. Heyward,	no	no
Laurens,	no	

So it passed in the negative.

Congress being informed that Colonel Forman was at the door, and had a message to deliver to Congress from General Washington:

Ordered, That he be introduced.

Colonel Forman being introduced, delivered his message and withdrew.

Congress having received information from General Washington, that a great part of the enemy's fleet have sailed with intention, as it is apprehended, to come round into the Delaware river; and, whereas, General Washington hath requested that a proper look-out be kept up, and intelligence be sent him, with as much despatch as possible, of the movements of the said fleet,

Ordered, That the executive council of the State of Pensylvania be informed thereof, and that it be recommended to them to attend to this matter.

Resolved, That General Washington be requested to

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appoint a proper person at head-quarters to write to the president twice a day, or oftener if necessary, advising the position and movements of the armies; and that the Board of War appoint proper expresses for conveying the said letters with the utmost expedition.

The several matters to this day referred, being postponed,[1]

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, SEPTEMBER 10, 1777

A letter, of the 8, from General Washington, eight miles from Wilmington; one, of the 9, from Dr. Shippen, director general of the hospital; also, a return of sundries received from Christiana, seized by Colonel E. Blaine, deputy commissary general of purchases, for the use of the continental army, were read:[2]

Ordered, That the letter from Dr. Shippen, and the return, be referred to the Board of Treasury.

The Committee on the Treasury brought in a report, which was taken into consideration; Whereupon,

Ordered, That there be advanced to Anthony Butler, agent to Major General Mifflin, quarter master general, agreeable to his application by letter to Congress, dated

[1] In the *Papers of the Continental Congress*, No. 36, I, folio 11, is the following motion, in the writing of James Wilson. It is endorsed: "Mr. Wilson's Motion, Sept. 9, 1777. Agreed to be taken up immediately after the report from the Com^ee of the Whole is determined."

"*Resolved*, That General Washington be directed to employ Major General St Clair in such command as the General shall think proper, or,

"That the General Officers who commanded in the Northern Department at the Time of the Evacuation of Ticonderoga, and Major General Sullivan, concerning whose Conduct, as well as concerning General St Clair's, an Enquiry is ordered, be superseded from their Command in the Army till that Enquiry be had."

[2] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, V, folio 33. It is printed in *Writings of Washington* (Ford), VI, 67.

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6th instant, one hundred and fifty thousand dollars for the use of his department, and for which he is to be accountable:

Ordered, That there be advanced to William Buchanan, Esqr commissary general of purchases, one hundred thousand dollars for the use of his department, and for which he is to be accountable:

Ordered, That there be advanced to John Mackenzie, State prisoner, 20 dollars, to defray his travelling expences to Fredericktown, in Maryland, to which place he is ordered to repair by the Board of War.

Ordered, That there be advanced to Lieutenant Chevalier de la Colombe, for his pay as lieutenant from 1st December, 1776, to 1 September, instant, being nine months, the sum of 243 dollars, for which he is to be accountable:[1]

Ordered, That there be advanced to Colonel Dugan, by the hands of his wife, 300 dollars on account of his arrears of pay, and for which he is to be accountable:

Ordered, That there be advanced to the Secret Committee two thousand five hundred dollars, for which they are to be accountable, and that the same be paid by a warrant on the loan office for the State of Rhode Island.[2]

Ordered, That the quarter master general be directed, as soon as may be, to lay his accounts before the Board of Treasury, in order for adjustment, and immediately lay before Congress, a list of all deputies and assistants employed in the quarter master's department, and how and where employed.

In consequence of an adjustment by the commissioners ||of claims,|| the auditor general reports,

That there is due to Dr. John Morgan, late director general of the American hospitals, the balance of his

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 419.

[2] This report, in the writing of James Duane, is in the *Papers of the Continental Congress*, No. 136, I, folio 421.

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account current as adjusted by the commissioners of accounts at Hartford, the 12 July last, the sum of 613 40/90 dollars, and the farther sum of 200 dollars which he advanced to Dr. Warren, surgeon of the general hospital, to defray expences, &c. which sum was stolen from the said Warren, as per certificates taken on oath before the commissioners at Stamford, and which the Board of Treasury agrees should be allowed to Dr. Morgan;

Also the pay of director general from the 31 December, 1776, to the 12 July, 1777, being 194 days, at 6 dollars per day, which time he employed in taking accounts, and delivering up the medicines, hospital stores, &c. settling accounts with the surgeons, mates, &c. attending the commissioners at Hartford, 1,164 dollars; for 1,179 rations from 31 December, 1776, to 10 May, at 8/90 dollar, 104 72/90 dollars, and for 567 rations, from 10 May to 12 July, at 10/90, 63 dollars, making in the whole 2,145 22/90 dollars:

That there is due to George Everson, his account for removing military stores from different parts of the Jersey to Philadelphia, &c. last winter, also expences and wages as assistant commissary of military stores, from the 10 July, 1776, to 16 January, 1777, he having been employed in that capacity by Governor Livingston, and the commissary general of that department, the sum of 272 63/90 dollars:

That there is due to Adam Good, for 46 meals supplied continental troops on their march to camp, the sum of 5 18/90 dollars:[1]

Ordered, That the said accounts be paid.

A memorial from Captain Jost Driesbach, and a letter from John Smith to R[ichard] H[enry] Lee, Esq[r] were laid before Congress:

[1] This report is in the *Papers of the Continental Congress*, No. 136, I, folio 423.

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Ordered, That they be referred to the Board of Treasury.

Congress proceeded to the election of a pay master for the North Carolina light horse, in the service of the Continent; and, the ballots being taken,

William Hardy was chosen.

Congress resumed the consideration of the report from the committee of the whole: Whereupon,

The house was moved, "that the interest which shall arise after the date of this resolution on certificates already issued be paid in bills of exchange;"

The question put,

New Hampshire,		
Mr. Folsom,	ay	ay
Frost,	ay	
Massachusetts bay,		
Mr. S. Adams,	ay	ay
J. Adams,	ay	
Gerry,	ay	
Lovell,	ay	
Rhode Island,		
Mr. Marchant,	ay	ay
Connecticut,		
Mr. Dyer,	no	ay
Williams,	ay	
Law,	ay	
New Jersey,		
Mr. Clark,	ay	ay
Witherspoon,	ay	
Pensylvania,		
Mr. Morris,	ay	ay
Roberdeau,	ay	
Wilson,	ay	
Delaware,		
Mr. Reed,	ay	ay
Maryland,		
Mr. Chase,	no	*
Virginia,		
Mr. Harrison,	no	no
R. H. Lee,	ay	
Jones,	no	
North Carolina,		
Mr. Harnett,	ay	ay
Penn,	ay	
South Carolina,		
Mr. Heyward,	ay	div.
Laurens,	no	
Georgia,		
Mr. Brownson,	no	no

So the question passed in the affirmative.

||The resolution of the committee of the whole was read and agreed to, viz.

Resolved, That the interest which shall arise after the date of this resolution on loan office certificates already

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issued, or which shall be issued before the 1st day of March next, be annually paid at the respective loan offices, in bills of exchange on the commissioners of the United States in Paris, at the rate of five livres of France for every Spanish milled dollar due for interest as aforesaid, or in continental bills of credit, at the option of the respective lenders: ||

Ordered, That the resolution now agreed to be published.

Ordered, That five members be added to the committee appointed to consider the letter of S. Hopkins, and the proceedings of the committees from New Hampshire, Massachusetts bay, Rhode Island, Connecticut, and New York:

The members chosen, Mr. [James] Duane, Mr. [Elbridge] Gerry, Mr. [Henry] Marchant, Mr. [Robert] Morris, and Mr. [Eliphalet] Dyer.

Ordered, That the committee be instructed to prepare an earnest recommendation to the several states to proceed to taxation, and that the said committee prepare an estimate of the quotas to be raised in each State by such taxation, having regard to their present circumstances, condition and abilities, but without respect to the quota hereafter to be assigned to each State for defraying the expence of the war.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, SEPTEMBER 11, 1777

Two letters, of the 10, and, one, of the 11, from R. H. Harrison, ¾ after 8 A. M., were read, the last advising, that the enemy are advancing, and that their present

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appearance indicates a disposition to pursue the route by Chad's Ford:[1]

Ordered, That the last be referred to the Committee of Intelligence.

The committee to whom was referred a report from the [2] respecting the officers receiving their rations in messes ||"to consider under what regulations and restrictions regimental officers shall for the future receive their rations,"|| brought in a report, which was taken into consideration:

Whereas, by the 24 article of the regulations of the department of the commissaries, it is provided, "That no provision be issued to any persons but by the written order of the commander in chief, the commander of any department, the quarter master general, any of his deputies or assistants, the commanding officer of a party, describing the person in whose favour such order shall be given, or upon a return signed by the commanding officer of a corps or detachment thereof, whether commissioned or non-commissioned officer, or by the regimental quarter master:" and whereas, by the last clause of the said article, the issuing commissaries, upon receiving such returns, have considered themselves authorized or obliged to issue provisions indiscriminately to the officers and privates therein contained, and many inconveniences have arisen therefrom:

Resolved, That the officers of each regiment, corps and detachment, be empowered to divide themselves, as often as they shall think proper, into messes, not exceeding six to a regiment, and to signify the same to the officer signing the provision returns, who shall thereupon distinguish in each return the names of the officers so divided into

[1] These letters are in the *Papers of the Continental Congress*, No. 152, V, folios 37–45.
[2] Some words omitted in the MS. journals.

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messes; and the issuing commissaries are respectively directed to deliver to the head of each mess, as aforesaid, the rations due to the same, or such part thereof as the head of the mess shall require, taking receipts therefor on the respective returns, and charging the whole of the rations delivered to the officers and privates, contained in each return, to the proper regiment, corps, or detachment, as directed in the 22d article of the said regulations.

Congress was moved to pass a resolve, and the same being read,

Ordered, That it be referred to a committee of three:

The members chosen, Mr. J[ohn] Adams, Mr. [Samuel] Chase, and Mr. [Joseph] Jones.

The Committee on Foreign Applications laid before Congress the demands of the Baron de Kalb and the Count de Mauroy, in behalf of themselves and the gentlemen who accompanied them, for their expences on this continent and return to France:[1]

Ordered, That the same be referred to the Board of Treasury.

A memorial, from David Forman, for himself and partners, was read, praying for a guard of one hundred men to protect a salt works, which, on obtaining such a guard, they undertake to erect:[2]

Ordered, That it be dismissed.

The committee appointed to consider the memorial of the Rev. Dr. Allison and others, report, "That they have conferred fully with the printers, &c. in this city, and are of opinion, that the proper types for printing the Bible are not to be had in this country, and that the paper cannot be procured, but with such difficulties and subject to such casualties, as render any dependance on it altogether

[1] The demands of Baron de Kalb are in the *Papers of the Continental Congress*, No. 41, V, folio 1.

[2] This memorial is in the *Papers of the Continental Congress*, No. 41, III, folio 185.

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improper: that to import types for the purpose of setting up an entire edition of the bible, and to strike off 30,000 copies, with paper, binding, &c. will cost £10,272 10, which must be advanced by Congress, to be reimbursed by the sale of the books:

"That, your committee are of opinion, considerable difficulties will attend the procuring the types and paper; that, afterwards, the risque of importing them will considerably enhance the cost, and that the calculations are subject to such uncertainty in the present state of affairs, that Congress cannot much rely on them: that the use of the Bible is so universal, and its importance so great, that your committee refer the above to the consideration of Congress, and if Congress shall not think it expedient to order the importation of types and paper, your committee recommend that Congress will order the Committee of Commerce to import 20,000 Bibles from Holland, Scotland, or elsewhere, into the different ports of the states in the Union:"[1]

Whereupon, the Congress was moved, to order the Committee of Commerce to import twenty thousand copies of the Bible;

The question being put, the house was divided:

New Hampshire,		
Mr. Folsom,	ay	ay
Frost,	ay	
Massachusetts bay,		
Mr. S. Adams,	ay	ay
J. Adams,	ay	
Gerry,	ay	
Lovell,	ay	
Rhode Island,		
Mr. Marchant,	ay	ay
Connecticut,		
Mr. Dyer,	ay	ay
Law,	ay	
Williams,	ay	
New York,		
Mr. Duane,	no	*
New Jersey,		
Mr. Clark,	ay	ay
Witherspoon,	ay	

[1] This report, in the writing of Daniel Roberdeau, is in the *Papers of the Continental Congress*, No. 28, folio 203.

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Pensylvania,		
Mr. Wilson,	ay	ay
Roberdeau,	ay	
Delaware,		
Mr. Reed,	no	no
Maryland,		
Mr. Chase,	no	*
Virginia,		
Mr. Harrison,	no	no
F. L. Lee,	ay	
Jones,	no	
North Carolina,		
Mr. Harnett,	no	no
South Carolina,		
Mr. Middleton,	no	no
Heyward,	no	
Laurens,	ay	
Georgia,		
Mr. Brownson,	ay	ay

So it was resolved in the affirmative.

The house was moved to pass a resolution, and the same being read,

Ordered, The consideration thereof be postponed to Saturday next, to be taken up after reading the public letters.

Adjourned to 6 o'Clock.

Six o'Clock P. M.

Congress met. No business done.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, SEPTEMBER 12, 1777

Congress being called by the president met at six o'clock, in the morning, when a letter, of the 11th, five o'clock P. M. from R. H. Harrison at Chad's Ford, and one of the same date, 11 o'clock, P. M. from General Washington, at Chester, were read, ~~the latter advising that the enemy were masters of the field, and that our army has retreated to Chester.~~ [1]

[1] The letters of Harrison and Washington are in the *Papers of the Continental Congress*, No. 152, V, folios 49 and 53. They are printed in the *Writings of Washington* (Ford), VI, 68, 69.

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Ordered, That these letters be published.

Adjourned to 10 o'Clock.

TEN O'CLOCK, A. M.

Ordered, That 500 dollars be advanced to the delegates of New Hampshire, for the use of their State, which is to be accountable.

Resolved, That an express be immediately sent to General Putnam, with orders to send forward the 1,500 continental troops, lately directed to be held in readiness, with all possible expedition, to reinforce the army under General Washington; and that General Putnam be directed, for greater expedition, to disencumber the said troops of all heavy baggage and such as is not absolutely necessary; the heavy baggage to be sent after them:

That an express be sent to General Dickinson, desiring him to come forward, with all possible despatch, with the militia of New Jersey, to reinforce the army under General Washington.

That expresses be sent immediately to General Smallwood and Colonel Gist, directing them to come forward, with all possible despatch, with the continental troops and militia under their respective commands, to reinforce the army, under General Washington, and that for greater despatch, they disencumber themselves of all heavy and unnecessary baggage:

That the president and supreme executive council of Pensylvania be requested, in the name of Congress, to call upon the militia of this city, and parts adjacent, to go forth immediately, to reinforce the army under General Washington, for the defence of this city:

That an express be sent to Colonel Gibson, of the batallion of Virginia troops at Alexandria, and to desire him

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to proceed immediately with his regiment to reinforce the army under General Washington, provided the orders he has received from the government of Virginia do not prevent him; and if he is restrained by any such orders, that he despatch an express, without delay, to Williamsburg, to inform the governor and council, that it is the desire of Congress that the said regiment should be immediately sent forward for the purpose aforesaid; and that he hold himself in readiness to execute the orders he shall receive from the governor.

The Committee on the Treasury brought in a report, which was taken into consideration; Whereupon,

Ordered, That there be advanced to the State of Maryland, upon the application of the governor of that State, 20,000 dollars, and for which the said State is to be accountable.

Ordered, That the President issue a warrant to the commissioner of the continental loan office in the State of Maryland, in favour of the governor of the said State, upon his application, for 30,000 dollars, and for which the said State is to be accountable.

Ordered, That there be paid to Abner Nash, Esqr 650 dollars, in discharge of two bills drawn by John Ashe, Esqr public treasurer of the State of North Carolina, on the continental treasurer, expressed to be for payment and support of the continental troops in the said State; the one dated 5 March, last, for 500 dollars, in favour of William Dry, Esqr the other 150 dollars, in favour of James Payenneville, dated the 10 May last, and both transferred to the said Abner Nash, and for which the state of North Carolina is accountable; the same being part of the money appropriated by Congress for the use of the State:

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Ordered, That there be advanced to Messrs. Rudolph & Co. 3,000 dollars on account of a debt due to them from the United States, and for which they are to be accountable.

An appeal from a sentence passed in the court of admiralty for the State of South Carolina, in the libel Edward Weyman against George Arthur, was received and referred to the committee for hearing and determining appeals.

Adjourned to five o'clock this evening.

FIVE O'CLOCK P. M.

Ordered, That the continental Navy Board, without delay, provide a proper boat or vessel for the Marquis de la Fayette, and one for Mons. du Coudray, to convey them and their attendants and baggage to the Jersey.

Resolved, That the commissary general of purchases be directed to purchase, on the most reasonable terms he can, thirty hogsheads of rum, and that the same be presented to the army, and distributed among the soldiers in such manner as the General shall direct, in compliment to the soldiers for their gallant behaviour in the late battle with the enemy ||of Brandywine.||

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, SEPTEMBER 13, 1777

A letter, of this day, from Governor Livingston; one, of the 6, from Governor Johnson, of Maryland, to General Washington, were read.[1]

[1] The letter of Livingston is in the *Papers of the Continental Congress*, No. 68, folio 281. That of Johnson is in No. 78, XIII, folio 61.

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A memorial from George Ewing, commissary of hides, was read;[1] Whereupon,

Ordered, That one thousand dollars be advanced to George Ewing, he to be accountable.

A letter, of the 11, from J. Shallus, at Lancaster; and one, of the 13, from Mons. du Coudray, were read; and one, of the same day, from the continental Navy Board, as read.[2]

Resolved, That General Washington be directed to give the necessary orders for compleating the defences of Delaware river, and to employ for that purpose such officers, engineers and troops as he shall think proper.

Ordered, That 50,000 dollars be advanced to the continental Navy Board for public service, the said Board to be accountable.

Whereas, Congress has received information that Mons. Lewis de Fleury, during very gallant exertions in the late battle at Brandywine, near Birmingham meeting-house, had his horse shot under him:

Resolved, That the quarter master general present him with a horse, as a testimonial of the sense the Congress have of the said Mons. de Fleury's merit.

The Committee on the Treasury brought in a report, which was taken into consideration; Whereupon,

Ordered, That the President issue his warrant on the commissioners of the loan office for the State of Pensylvania, in favour of Dr. Shippen, director general of the hospital, for fifty thousand dollars, for the use of that department; and for which he shall be accountable:

Ordered, That there be paid to Robert Patton, 136 dollars, for 102 days' attendance as messenger of Congress, at 1 1/3 dollar a day:

[1] This memorial is in the *Papers of the Continental Congress*, No. 41, III, folio 13.

[2] The letter of Shallus is in the *Papers of the Continental Congress*, No. 78, XX, folio 151. That of Du Coudray is in No. 156, folio 505.

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Ordered, That there be advanced to Mons. de Lotbinier, chaplain in the service of the United States, 48 dollars on account of his pay and rations, and for which he is to be accountable.

Ordered, That the letter from Mons. du Coudray, with an account of the rank of sundry French officers enclosed, for which he solicits brevet commissions in order that he may with them join the army as a company of volunteers, be referred to the Board of War.[1]

Resolved, That General Washington be directed to order a court of enquiry into the conduct of Brigadier General de Borré since his appointment, and that, in the mean while, Brigadier de Borré be recalled from the army.

A letter of this day from Mons. du Coudray was read:[2]

Ordered, To lie on the table.

||The several matters to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

SUNDAY, SEPTEMBER 14, 1777

A letter, of the 13, from General Washington, at Germantown; two, of the same date, from General Dickinson, ||were read.||[3]

The president informed Congress that, in consequence of the resolution of yesterday, Brigadier de Borré had waited on him, and offered to resign his commission:

Resolved, That his resignation be accepted.

A letter, of this day, from Thomas Wharton, Jun. Esqr president of the council of Pensylvania, was read, request-

[1] In the margin is written "delivered to J[ohn] A[dams]."

[2] This letter is in the *Papers of the Continental Congress*, No. 156, folio 515.

[3] The letter of Washington is in the *Papers of the Continental Congress*, No. 152, V, folio 55. It is printed in *Writings of Washington* (Ford), VI, 71. The two letters of Dickenson, dated September 13 and 14, are in No. 78, VII, folios 119–123.

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ing an advance of 200,000 dollars for public service;[1] Whereupon,

Ordered, That 200,000 dollars be advanced to the State of Pensylvania, for public service, the said State to be accountable.

Resolved, That it be recommended to the supreme executive council of the State of Pensylvania, immediately to appoint proper and discreet persons to take into possession any linens, blankets and other woollens, shoes, spirits and other necessaries for the use of the army, which they may find in any stores or ware-houses in the city of Philadelphia; giving a certificate expressing the quantity and value, and to cause the goods so taken to be conveyed to some secure place to prevent their falling into the hands of the enemy.

A letter of the 3, from General Gates, enclosing copy of a letter of the 30th from General Burgoyne to him, and his answer; also a copy of 1st September from Brigadier Simon Frazer to General Gates and General Gates's, answer were read; also another letter of the 10 from General Gates inclosing General Burgoyne's reply to General Gates, &c., was read:[2]

Ordered, That these letters be referred to the Committee of Intelligence.

Resolved, That the Board of War be directed to order the commissary general of military stores, to apply to the supreme executive council of the State of Pensylvania, for an order to remove all public bells, in Philadelphia, to a place of security, upon a near approach of the enemy to the city.

Congress being informed that some of the towns in the

[1] This letter is in the *Papers of the Continental Congress*, No. 69, I, folio 417.

[2] The letters of Gates are in the *Papers of the Continental Congress*, No. 154, I, folios 250 and 256.

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western division of New Jersey are plentifully supplied with blankets, which the inhabitants can spare for the use of the army,

Resolved, That a letter be addressed by the president to the governor and council of New Jersey, requesting them to call on the inhabitants of the abovementioned places, for as many blankets as can be spared, to supply the soldiers of General Washington's army, many of whom have lost their blankets in the late action of the Brandywine, and cannot be supplied by the State of Pensylvania; and that the cost of the said blankets be defrayed by the United States.

Intelligence being received by Congress that the whole of the British force hath been withdrawn from the State of Rhode island, therefore

Resolved, That the Governor of Rhode island be requested, if the said intelligence be true, forthwith to forward one of the batallions of that State to Peekskil armed and equipped in the best manner they may be able, but as little incumbered with baggage; their necessary baggage, such as tents &c. to follow after.[1]

Resolved, That the Board of War give orders, and take proper measures, to have ten pieces of brass cannon brought, as speedily as possible, from Springfield, to the west side of Hudson's river.

Resolved, That General Sullivan be recalled from the army, until the enquiry, heretofore ordered into his conduct, shall be duly made.

Resolved, That if Congress shall be obliged to remove from Philadelphia, Lancaster shall be the place at which they shall meet.

A petition from the Chevalier de Preudhomme de Borré

[1] In the margin is written "false intelligence," and the paragraph was not printed in the *Journals*.

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was read, praying to have his wagons till his arrival in Charlestown, and an order to have rations of forage for his horses, he engaging, on his arrival in Charlestown, to send the wagons back to the continental army:[1]

Resolved, That the prayer of his petition be granted.

The Committee on the Treasury brought in a report, which was read and considered; Whereupon,

Resolved, That the president draw bills of exchange on the commissioners of Congress at Paris, in favour of the several officers, and for the several sums hereafter mentioned, the said bills to be made payable at thirty days after sight, to express value received by and chargeable to Congress, viz.

A set in favour of Baron de Kalb for 6,000 livres tournois, 1,200 dollars; a set in favour of Viscount de Mauroy for 6,000 livres tournois, 1,200 dollars; a set in favour of Mons. de Leser for 7,613 livres tournois, 1,522 3/5 dollars; a set in favour of Mons. de Valfort for 7,393 livres tournois, 1,478 3/5 dollars; a set in favour of le Chevalier de Franval for 7,200 livres tournois, 1,440 dollars; a set in favour of Chevalier de Fayolle for 2,400 livres tournois, 480 dollars; a set in favour of Mons. de Vrigny for 3,200 livres tournois, 640 dollars; a set in favour of le Chevalier de Buysson for 4,712 livres tournois, 942 2/5 dollars; a set in favour of Mons. du Bois Martin for 6,353 livres tournois, 1,270 3/5 dollars; and a set in favour of Mons. Candon for 1,800 livres tournois.

Ordered, That there be paid to the following gentlemen, the several sums hereafter specified, to defray, with the sums above directed to be drawn in bills of exchange on the commissioners at Paris, in their favour, the expences of their coming from France and returning thither, viz.

[1] This petition is in the *Papers of the Continental Congress*, No. 78, II, folio 253.

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To Baron de Kalb 500 dollars; to Mons. de Leser 765 do. to Chevalier de Fayolle 300 do. to Chevalier de Buysson 200 do. to Viscount de Mauroy 500 do. to Mons. de Valfort 822 do. to Mons. Vrigny 410 do. to Mons. Candon 300 do.

Resolved, That the public papers be put under the care of Mr. Clark, and that he be empowered, upon the Congress removing to Lancaster, to procure wagons sufficient for conveying them thither, and apply to General Dickinson, or any other officer commanding troops in the service of the United States, who is hereby directed to furnish a guard to conduct the said papers safe to Lancaster.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

MONDAY, SEPTEMBER 15, 1777

A letter, of the 15, from Thomas Wharton, Junr. president of the council of Pensylvania; one, of the 8, from John Carter, one of the commissioners for auditing accounts in the northern department, requesting, as important business requires his immediate presence in Boston, that another commissioner may be appointed in his room; also, a petition from Robert White, deputy commissary general of issues, requesting, as upon trial he finds it impossible for him to do the duties of the office, that he may have leave to resign his commission, were read:[1] Whereupon,

Resolved, That, for the reasons assigned, Mr. Carter and Mr. White have leave to resign their commissions.

[1] The letter of Wharton is in the *Papers of the Continental Congress*, No. 69, I, folio 421. That of Carter is in No. 78, V, folio 105. The petition of White is in No. 78, XXIII, folio 421.

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A letter, from Mons. du Coudray to S[amuel] Chase, Esq[r] was laid before Congress and read, wherein he requests, for himself and sundry gentlemen who accompanied him to this country from France, to have an opportunity of fighting in the American army as volunteers, without running the risque of not being subjects of exchange, should they, by the fortune of war, be made prisoners; informing that any rank which Congress may think proper to give him and them will be acceptable; and asking only for himself the rank of a captain; for each commissioned officer who has accompanied him, the rank of lieutenant; and for each non-commissioned officer the rank of an ensign;[1] Whereupon,

Resolved, That his request be complied with, and that commissions be made out for them accordingly.

Ordered, That 1,500 dollars be advanced to Mons. du Coudray, for himself and the gentlemen who accompanied him, he to be accountable.

Resolved, That a commander of the horse be appointed with the rank of brigadier; the ballots being taken, the Count Pulaski was elected.

Resolved, That Mr. Frederick de Bedaulx be appointed a captain by brevet, and receive the pay and rations annexed to that rank from the 1st of May last.

A deposition having been laid before Congress, containing information of a conspiracy being formed against the United States, and intended to be put in execution within the State of Pensylvania; and whereas it may happen that some persons may be concerned in it, who are not under the jurisdiction of that State;

Resolved, That Congress will co-operate with the said State in tracing the said conspiracy, and that it be recom-

[1] This letter is in the *Papers of the Continental Congress*, No. 156, folio 550.

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mended to those of the other states, within whose jurisdiction any of the conspirators may reside, to co-operate in the same manner with the State of Pensylvania.

Ordered, That a warrant issue on the commissioner of the loan office of the State of Pensylvania, in favour of J. Shallus, deputy commissary general of purchases, [for] 3,200 dollars, on account of his department, for which he shall be accountable.

Ordered, That one hundred thousand dollars be advanced to the State of New Hampshire, and that the same be paid by a warrant on the commissioner of the loan office in the State of New Hampshire for fifty thousand dollars, and by another warrant on the commissioner of the loan office for the State of Massachusetts bay, for fifty thousand dollars, the said State of New Hampshire to be accountable.

The assembly of Pensylvania having made a change in the delegates of their state, an extract from their minutes was read as follows:

IN GENERAL ASSEMBLY OF PENNSYLVANIA,
Sunday, September 14, 1777.

Agreeable to the order of yesterday, the house resumed the consideration of the choosing new delegates to serve this state in Congress, when it was resolved, that new delegates be immediately elected instead of Jonathan B. Smith, esq. who has resigned, and of James Wilson, and George Clymer, esqrs. who are hereby superseded: Whereupon, the house proceeded to the said election by ballot, when Joseph Reed, esq. William Clingan, esq. and Dr. Samuel Duffield, were duly elected.

Extract from the minutes,

JOHN MORRIS, *Clerk of Assembly.*

Resolved, That another major general be appointed in the army of the United States; the ballots being taken, the Baron de Kalb was elected.

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~~Resolved, That his commission be dated the day before that of the Marquis de Fayette.~~

||The several matters to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

TUESDAY, SEPTEMBER 16, 1777

A letter, of the 15, from Governor Livingston, at Haddonfield, was read, requesting a supply of ammunition:[1] Whereupon,

Resolved, That the commissary general of military stores be directed to supply the gentlemen from the Jersey with a quantity of cartridges mentioned in the resolve of the Jersey assembly of September 15, taking care that a sufficient quantity of cartridges be reserved for the use of the army under General Washington; and if the cartridges aforesaid cannot be supplied, that, then, the commissary of military stores supply the quantity of lead and powder mentioned in the resolve aforesaid of New Jersey assembly.

A letter, of the 15, from General Dickinson, at Trenton, was read; also one, of the same date, from General Washington, at Buck Tavern, and another of the same date, from the General, at camp, between the Warren and White-Horse Taverns, were read.[2]

Resolved, That the president and supreme executive council of Pensylvania be informed of General Washington's desire, that the provisions in this city should be

[1] This letter is in the *Papers of the Continental Congress*, No. 68, folio 285.

[2] Dickinson's letter is in the *Papers of the Continental Congress*, No. 78, VII, folio 131. That of Washington is in No. 152, V, folio 61. It is printed in *Writings of Washington* (Ford), VI, 72.

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removed to a place of safety; reserving only what may be necessary for the use of the inhabitants and for the army under his command; and that the president and council be desired, in the name of this Congress, to take the most speedy and effectual measures to have the same carried into execution; also, that the president and council be requested to exert the most vigorous efforts to obtain from this city as many blankets as possible, and with the greatest expedition, as the General represents many of the soldiers to be without blankets, and that their health will be much exposed by remaining so.

Resolved, That the president issue his warrant on the commissioner of the loan office for the State of Connecticut, in favour of William Buchanan, Esqr commissary general of purchases, or his order, for two hundred thousand dollars, for the use of the northern department, and for which the said commissary general is to be accountable:

Ordered, That there be advanced to William Buchanan, Esqr commissary general of purchases, 200,000 dollars, for the use of his department, for which he is to be accountable.

Ordered, That the letters and invoices of the cargoes imported in the *Neptune*, Captain Isaac Lee, and the *Success*, Captain Cabbot Gerrish, from Bilboa to Boston, be referred to the Committee of Commerce.

Resolved, That the commissary general of issues, the quarter master general, the commissary general of military stores, the director, and cloathier generals, be severally directed to remove without delay, the patients, or stores belonging to their respective departments, ordered to, or deposited in, Trenton, to Bethlehem, or some other place of safety.

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Ordered, That the president issue a warrant on the commissioner of the loan office for the state of Massachusetts bay, in favour of the Committee of Commerce, for 5,000 dollars, for which they are to be accountable:

That a warrant be drawn on the said loan officer for 8,000 dollars, in favour of the continental Navy Board in the city of Philadelphia, they to be accountable:

That there be advanced to the delegates of the State of Georgia, 25,000 dollars, to discharge a bill drawn on them by that State, in favour of Colonel John White, and that it be considered as part of the sum appropriated for the military chest in the said State, and for which that State is to be accountable:

That there be advanced to the delegates for the State of Georgia, 3,000 dollars, out of the sum appropriated to that State on account of its claim against the United States for expenditures for the public service, for which sum the said State is to be accountable.

Congress took into consideration the letter of 15 from General Washington: Whereupon, it was moved,

"That the execution of the resolution of Congress, for the recall of General Sullivan from the army in the present critical situation of affairs, be left to the discretion of General Washington until further orders:" Whereupon,

An amendment was offered by way of addition in the following words: "And that Congress submit to the discretion of General Washington, whether it would not be adviseable to place the Maryland and Delaware troops under the command of some other major general, it being at the request of the delegates of those states?" The question put on the amendment:

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New Hampshire,		
Mr. Folsom,	no	no
Massachusetts bay,		
Mr. S. Adams,	no	no
J. Adams,	no	
Gerry,	no	
Lovell,	no	
Rhode Island,		
Mr. Marchant,	no	no
Connecticut,		
Mr. Dyer,	no	no
Williams,	no	
Law,	no	
New Jersey,		
Mr. Elmer,	no	no
Pensylvania,		
Mr. Morris,	no	no
Roberdeau,	no	
Delaware,		
Mr. Reed,	ay	ay
Maryland,		
Mr. Chase,	ay	ay
W. Smith,	ay	
Virginia,		
Mr. Harrison,	no	no
Jones,	no	
R. H. Lee,	no	
North Carolina,		
Mr. Burke,	no	no
Penn,	no	
South Carolina,		
Mr. Laurens,	no	no
Georgia,		
Mr. Walton,	no	div.
Brownson,	ay	

So it passed in the negative.

The question was put on the original motion, and agreed to.

The several matters &c ||to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, SEPTEMBER 17, 1777

A letter, of this day, from Governor Livingston, and one enclosed to him from General Dickinson, were read; Whereupon,

Resolved, That, in the present situation of affairs, it be left to the discretion of Governor Livingston, to retain the whole of the militia of New Jersey for the defence of that State, or to send a part of the said militia to reinforce the army under General Washington, as circumstances may make it necessary:

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Resolved, That Governor Livingston be requested to afford every assistance in his power for the speedy removal of the public stores from Trenton to Bethlehem, or some other place of safety.

Ordered, That copies of the letters received from Governor Livingston and General Dickinson, be forwarded immediately to General Washington.

Whereas, Mons. du Coudray, colonel brigadier in the service of his most Christian Majesty, the king of France, and commander in chief of the artillery in the French colonies of America, gallantly offered to join the American army as a volunteer, but, in his way thither, was most unfortunately drowned in attempting to pass the Schuylkill:

Resolved, That the corpse of the said Mons. du Coudray be interred at the expence of the United States, and with the honors of war; and that the town major carry this order into execution.[1]

Whereas, the city of Philadelphia notwithstanding the brave exertions of the American army, may possibly, by the fortune of war, be, for a time, possessed by the enemy's

[1] In the *Papers of the Continental Congress*, No. 36, I, folios 12 and 12a, are two motions, made on September 18. The first is in the writing of , and the second in that of William Duer.

"Whereas Monsieur du Coudray, an Officer in the Service of the United States, was unfortunately drowned on his way to join the army under General Washington, and it is right that proper persons be appointed to take due care of his effects and papers: *Resolved*, that Charles Louis Le Brun and Mr Nicholas Rogers be appointed to take due care of all such effects and papers, and lodge an inventory thereof with the Secretary of Congress."

[Previous question whether this question shall be now put, passed in the negative. *Charles Thomson.*]

"*Resolved*, that Charles Louis Le Brun, and Mr Nicholas Rogers be authorized to secure all the effects and papers of the late Monsieur du Coudray, Colo Brigadier in the service of his most Christian Majesty the King of France; and to return to Congress an Inventory of the same, in order that such Parts of the said Estate as Congress shall think proper may be sold for the Benefit of the Heirs of the said Monsr du Coudray, and the remainder transmitted to his Family as soon as possible."

[Previous question whether this question shall be now put, passed in the negative. *Charles Thomson.*]

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army, which availing itself of the provisions and other necessary supplies now in it, may be enabled to prosecute with vigour the war in which they are now engaged; and whereas it is absolutely essential to the liberties of the United States, that the most effectual and speedy means should be adopted for securing, for the use of the American army, every article which may be necessary for their equipment and subsistence; and whereas, from the near approach of the enemy's army, and by the wicked arts of extortioners, engrossers and others, enemies to the liberties of America, it may be impracticable to collect in time, and by way of regular purchase, a competent supply; and whereas it may be essential to the public welfare, that Congress should adjourn to some place more remote than this city from the scene of action, in order that its deliberations may be conducted without interruption; therefore,

Resolved, That General Washington be authorized and directed to suspend all officers who shall misbehave, and to fill up all vacancies in the American army, under the rank of brigadiers, until the pleasure of Congress shall be communicated; to take, wherever he may be, all such provisions and other articles as may be necessary for the comfortable subsistence of the army under his command, paying or giving certificates for the same: to remove and secure, for the benefit of the owners, all goods and effects which may be serviceable to the enemy; provided, that the powers hereby vested shall be exercised only in such parts of these states as may be within the circumference of 70 miles of the head quarters of the American army, and shall continue in force for the space of 60 days, unless sooner revoked by Congress.

Resolved, That the public faith be pledged for the payment of the provisions or other articles to be taken, and for which certificates shall have been given, at such

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prices as are expressed in the certificates; or, if the prices are not expressed, to be paid for as the same shall be valued by commissioners for that purpose to be hereafter appointed by Congress.

Ordered, That Mr. [George] Frost have leave of absence for the recovery of his health.

Ordered, That a copy of the letter from the executive council of Pensylvania, to Congress, received this day in answer to the resolves of yesterday,[1] be transmitted to General Washington.

Adjourned to 6 o'Clock.

SIX O'CLOCK P. M.

Congress met, and, ||postponing the several matters to this day referred,||

Adjourned to 10 o'Clock to Morrow.

THURSDAY, SEPTEMBER 18, 1777

A letter, of the 17, from General Washington, at the Yellow Springs, was read.[2]

Resolved, That the order for removing the sick and wounded, and hospital stores from Trenton, be for the present suspended.

A letter, of the 14, from Colonel J[oseph] Wood, was read:

Ordered, That it be transmitted to General Washington.

A memorial from Colonel Flower was read, together with a list of the corps of the artillery, artificers and other officers under the command, and in the department of the commissary general of military stores; Whereupon,

Resolved, That commissions be granted to the said officers, agreeable to their respective ranks.

[1] This letter is in the *Papers of the Continental Congress*, No. 69, I, folio 425. It is printed in *Pennsylvania Archives*, First Series, V, 630.

[2] This letter is in the *Papers of the Continental Congress*, No. 152, V, folio 67.

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Resolved, That establishments be made for the hospital in the respective departments, and chaplains appointed, and that their pay be each 60 dollars a month, three rations a day, and forage for one horse:

The Rev. Mr. Noah Cook was elected chaplain of the hospitals in the eastern department.

Resolved, That Major General Armstrong be directed, forthwith, to cause all the printing presses and types in this city and Germantown, forthwith to be removed to secure places in the country, excepting Mr. Bradford's press in this city, with English types.

Resolved, That there be paid to Robert Towers, acting as commissary of military stores, and continental armourer, from 19 November, 1775, to 19 May, 1777, at two dollars per day, including the keeping a horse.

A letter, of the 16, from General Putnam, at Peekskill, was read.[1]

||The several matters to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

During the adjournment, the president received a letter from Colonel Hamilton, one of General Washington's aids, which intimated the necessity of Congress removing immediately from Philadelphia; Whereupon, the members left the city, and, agreeable to the resolve of the 14, repaired to Lancaster.[2]

[1] This letter is in the *Papers of the Continental Congress*, No. 159, folio 95.

[2] "The question for adjournment from Philadelphia was daily agitated in Congress, but always overruled. On the night before last it received a complete decision. Intelligence was received from the General officer commanding on Schuylkill that the Enemy were then attempting to cross, and that they could not be prevented, and advising the Congress immediately to remove from the City. The movement was made not by a vote, but by universal consent, for every member consulted his own particular safety. I was wakened by a servant about two o'clock, and tho' I lost no time in preparing to depart, yet I did not choose to retreat with precipitation. I was not indeed fully pursuaded of the necessity of the measure, and not very apprehensive for my personal safety." *Thomas Burke to Governor Caswell*, 20 September, 1777. *North Carolina Colonial Records*, XI, 631.

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LANCASTER, SATURDAY, SEPTEMBER 27, 1777

A letter, of the 15, from General Gates, at the heights above Behman's; of the 15, from Colonel Gist, at Christiana bridge; one, of the 16, from Colonel Gibson, at Alexandria; one, of the 23, from General Washington, at Pottsgrove, were read:[1]

A letter from General Conway was read and referred to the Board of War.

A letter from Colonel G. Morgan, at Pittsburg, with several papers enclosed, was read and referred to the Board of War.[2]

A letter from the Baron de Kalb to Colonel R[ichard] H[enry] Lee, was read and referred to the Board of War.

A letter, of the 16, from Joseph Trumbull, was read:[3]

Referred to the Board of Treasury.

Resolved, That the Board of War be directed to cooperate with General Washington in devising and carrying into execution the most effectual measures for supplying the army with fire-arms, shoes, blankets, stockings, provisions, and other necessaries; and that, in executing this business, these collections be confined, as much as circumstances will admit, to persons of disaffected and equivocal characters.

Resolved, That the Treasury Board direct the treasurer, with all his papers, forms, &c. to repair to the town of York, in Pensylvania.

Adjourned to York-town, there to meet on Tuesday next, at 10 o'Clock.

[1] The letter from Washington is in the *Papers of the Continental Congress*, No. 152, V, folio 71. It is printed in *Writings of Washington* (Ford), VI, 80.

[2] The letter of Conway is in No. 159, folio 453; and that of Morgan, in No. 163, folio 289.

[3] This letter is in the *Papers of the Continental Congress*, No. 66, I, folio 341.

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YORK-TOWN, TUESDAY, SEPTEMBER 30, 1777

Met and adjourned to 10 o'Clock to Morrow.

WEDNESDAY, OCTOBER 1, 1777

Congress having appointed the Rev. Mr. White and the Rev. Mr. [P.] Allison their chaplains, and the latter having declined, the Rev. Mr. George Duffield was appointed in his stead.

Ordered, That the appointment for each of the chaplains ||to Congress|| be the same as the chaplain to the hospitals in the several departments.

Ordered, That, until further order, Congress shall meet precisely at ten o'Clock A. M. sit to one, then adjourn to four, P. M.; then to meet and proceed on business.

A memorial from Daniel and Samuel Hughes, and a letter from the Baron de Kalb, were read:

Ordered, That the same be referred to the Board of War.

The Committee of Treasury brought in a report, which was read; Whereupon,

Resolved, That the president issue two warrants; the one on the commissioner of the continental loan office for the State of Connecticut, and the other on the commissioner of the continental loan office for the State of Rhode Island and Providence Plantations, each for 50,000 dollars, in favour of Joseph Trumbull, Esqr late commissary general, on his application by letter, dated Hartford, Septemtember 16, 1777, to discharge his engagements in that department, and for which he is to be accountable.

A letter of the 18, one of the 19, one of the 29 September, from General Washington; two letters, from General Gates, of the 22d, with sundry papers enclosed; five from

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Brigadier Howe, at Charleston, viz. one of the 25 August, two of the 28 August, one of the 29, and one of the 12 September; a letter and memorial from A. Gwinnett, of Georgia; a letter from John Adam Treutlen, governor of Georgia, with sundry papers enclosed; one from Lieutenant Colonel Hale; one from Colonel Lewis Nicola, and one from Barnabas Deane, were read.[1]

A memorial from Monsieur de Borré was read:[2]

Ordered, That it be dismissed.

A petition from Abraham Nimham, and one from James Hallet, were read.

||The several matters to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

THURSDAY, OCTOBER 2, 1777

Ordered, That the letter from General Gates be referred to the Board of War:

That the letter, of the 25 August, from Brigadier Howe, be referred to the Medical Committee.

Resolved, That the resignation of Brigadier Gadsden be accepted.

Ordered, That the letters of the 28 and 29 August, and 12 September, from Brigadier Howe, be referred to the Board of War.

That the letters from the governor of Georgia, and Mrs. Gwinnett, with the papers accompanying them, be referred to a committee of three:

[1] The draft of Washington's letter of the 18th is in *Letters to Washington*, Series A, III, folio 80; that of Gates is in the *Papers of the Continental Congress*, No. 154, I, folio 262; that of Howe, in No. 160, folios 362–396; those of Treutlen, in No. 73, folios 43 and 99; that of Deane, in No. 78, VII, folio 135.

[2] This memorial is in the *Papers of the Continental Congress*, No. 78, II, folio 257.

[3] The petition of Hallet is in the *Papers of the Continental Congress*, No. 41, IV, folio 23.

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The members, Mr. [Henry] Laurens, Mr. [Nathan] Brownson, and Mr. [Cornelius] Harnett.

Ordered, That the letter from Lieutenant Colonel Hale be referred to the committee for conducting the enquiry into the causes of loss of Ticonderoga, and the conduct of the general officers ||in that department.||

Ordered, That an order for 20,000 dollars be drawn on Mr. Lawrence, commissioner of the loan office for the State of Connecticut, in favour of Barnabas Deane, the same being in lieu of a like order in his favour, dated the 6th of May last, which was presented for payment on the 18 August, but has not been paid, the said order being lost.

A letter, of 17 September, from Jeremiah Powell, president of the council of Massachusetts bay, enclosing a copy of a letter from Joshua Loring, [British] commissary of prisoners, to Dr. Benjamin Church, proposing an exchange of Dr. M'Henry, of Philadelphia, for him, was read;[1]

On the question put to comply with the proposal, carried in the negative.

A letter, of the 20 Sept. from Jonathan Trumbull, Junr was read:[2]

Ordered, That it be referred to the Board of Treasury.

A letter, of the 8 of August, and two, of the 11 September, from Governor [J.] Rutledge, of South Carolina, were read:

Ordered, That the letter of the 11th, respecting prisoners, be referred to the Marine Committee, and that the other two be referred to the Board of War.[3]

[1] This letter, with the copy of the Loring letter, is in the *Papers of the Continental Congress*, No. 65, I, folio 261. It is indorsed "rejected."

[2] This letter is in the *Papers of the Continental Congress*, No. 78, XXII, folio 529.

[3] One letter, of the 11th, is in the *Papers of the Continental Congress*, No. 72, folio 443. It was afterwards referred to the Committee on Indian Affairs.

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A letter, of the 30 September, from Isaac Melchior, was read:

Ordered, That it be referred to the Board of War.

A memorial from Daniel Batwell, was read:[1]

Resolved, That the president issue his warrant to the treasurer or auditor general of the United States, or on either of them, to pay to Josias Clapham, Esqr colonel of a regiment of militia from the State of Virginia, for two thousand dollars, for the use of the said regiment, and for which he is to be accountable.[2]

Adjourned to 4 o'Clock.

FOUR O'CLOCK, P. M.

A memorial, from Mons. le Brun, and a letter from John Dorsius, and one, from Brigadier Howe, relative to eight French officers, were read.[3]

The petition of the Rev. Mr. Daniel Batwell, setting forth, that, on a charge of being concerned in a conspiracy to destroy the continental magazines in this State, he was in custody of the keeper of the gaol of York county, by virtue of a commitment, until Congress or the supreme executive council of this State should take further order touching him, or until he should be otherwise discharged according to law, being presented to Congress and read; and it appearing to Congress, by the certificate of Dr. Jameson that the petitioner is so much emaciated, by a complication of disorders, that his life will be endangered, unless removed from the said gaol:

Resolved, That the said petition be referred to the president and supreme executive council of this State, to take

[1] This memorial is printed in the *Pennsylvania Archives*, Second Series, III, 129.

[2] An application from Clapham, dated October 1 and read on the 4th, is in the *Papers of the Continental Congress*, No. 78, V, folio 109.

[3] The memorial of Le Brun is in the *Papers of the Continental Congress*, No. 78, II, folio 275.

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such order relative to the petitioner as they shall think proper; and that, in the mean time, the keeper of the gaol be directed to remove the petitioner from the said gaol to some other safe and proper place, and there grant him every indulgence necessary for the preservation of his health, consistent with the safe-keeping of his person; and that the commanding officer in this place afford the necessary assistance of guards for that purpose.

Resolved, That the ||articles of|| confederation be taken into consideration to morrow morning, at eleven o'clock.

Resolved, That the commissaries general of provision, the quarter master general, their deputies, respectively, be directed to provide and supply, in the places where Congress may meet, such articles of their respective departments as may be required by the several members thereof, for the use of themselves, their servants and horses, the said members paying the cost of the said articles; and that this resolution extend to the secretaries, treasurer and the officers of the several boards and committees of Congress.

Resolved, That the treaty made by Benjamin Franklin and Silas Deane, at Paris, the 17 day of February, 1777, with the Chevalier du Portail and others, be confirmed and ratified as far as it relates to Mons. de Laumoy.

A letter from Mr. Buchanan, commissary general of purchases, was read:[1]

Ordered, That it be referred to the Board of War.

A letter, of the 1st, from the Chevalier de Preudhomme de Borré was read.[2]

||The several matters to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

[1] This letter is in the *Papers of the Continental Congress*, No. 78, II, folio 269.
[2] This letter is in the *Papers of the Continental Congress*, No. 78, II, folio 265.

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NOV 11 '67 H
DUE MAY 1 '46
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DUE AUG 30 '50

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